VOICES FOR CHANGE

Aboriginal Child Welfare in Alberta
A Special Report

ocya

OFFICE OF THE CHILD AND
YOUTH ADVOCATE ALBERTA

JULY 2016

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EXECUTIVE SUMMARY

Even though only one in ten children in Alberta is of Aboriginal heritage, they make up 69% of those in the child welfare system.[1] Métis children are about six times as likely to be in care compared to their non-Aboriginal peers, while First Nations children are over 30 times as likely.[2] Although the last three years have seen reductions in the actual numbers, this level of overrepresentation remains consistent, and is among the highest in Canada.

This is not a new problem. This overrepresentation began long ago, accelerated in the 1960s, and has become more pronounced in recent decades. Despite a series of reports drawing attention to the issue, and to other difficulties experienced by Aboriginal young people in child welfare systems, there has been little meaningful change.

The degree of the problem indicates this is a systemic issue. Things are clearly not working. The situation is not tenable for anyone – not for Aboriginal families and communities, not for the child welfare system, and especially not for the Aboriginal children who are in care.

From January to March 2014, the Office of the Child and Youth Advocate (OCYA) met with stakeholders throughout the province to identify systemic issues for a special report related to young people. The number one issue raised in these meetings was the overrepresentation of Aboriginal young people in the child welfare system. This strong and consistent input led to *Voices for Change: Aboriginal Child Welfare in Alberta*.

To inform the special report, it was important to discover what people in the child welfare system, and those who had involvement with the system, had to say. From January 2015 to January 2016, information was gathered from a range of stakeholders through small gatherings, interviews, and online surveys. Children, youth, caregivers, and other stakeholders shared their perspectives about what was important to them before, during, and after their involvement with the system.

Armed with these perspectives, and informed by additional research, the Alberta Child and Youth Advocate (the "Advocate") identified a number of systemic issues that contribute to the overrepresentation of Aboriginal children in Alberta's child welfare system.

These include socioeconomic factors, the legacy of the residential schools system and the Sixties Scoop, differing worldviews about family and responsibility for children, and distrust between Aboriginal people and governments. All of these factors have had a significant impact on Alberta's child welfare system. The result is that Aboriginal children and families have not been effectively served by the system that is supposed to see to their safety and well-being.

This is not to suggest there are not real concerns that result in Aboriginal children and families being involved with the child welfare system. There are legitimate circumstances that require intervention and bring young people into government care.

1 Throughout this report we use the term child welfare system to refer to Child Intervention Services under the *Child, Youth and Family Enhancement Act*.

2 Data from Alberta Human Services and Statistics Canada.

As well, those who work in the system – caseworkers, supervisors, managers, and others – have made real and substantial efforts to improve the lives of those they serve. This is something that needs to be acknowledged.

Yet the facts speak for themselves: Aboriginal children come into care more often, stay in care longer, and are less likely to be returned to their families than their non-Aboriginal peers. And it has been this way for many years.

The people we met gave us great insight into what is critically important to Aboriginal children and families involved with the system. Sometimes it was a child in care telling us about how important it was to see his siblings, or a parent telling us how hard it was to get her kids back. Other times it was an Elder telling us why it was important that his grandchildren learn the traditions of his people, or a service provider telling us why more flexibility is needed so policy better meets the needs of the people she serves.

The results from what we heard, and what we learned by reviewing reports and other research, combined with our own experience over years of advocating for young people, led us to some significant conclusions.

It is abundantly clear that unless the gap in perspectives between the child welfare system and the Aboriginal community is addressed, there is every reason to believe that Aboriginal children will continue to be overrepresented. For this situation to improve, significant changes to the child welfare system will be required. That is what this special report is about.

It will not be easy. Many Aboriginal communities face challenges that will require significant resources and support to overcome. That said, action must be taken in strengthening Aboriginal communities' capacity to provide for the care of their children.

There are also challenges for government. Relationships between government and Aboriginal people have not been equal. For real progress to be made, particularly when it comes to child welfare, this must change. Government must engage with the community in a renewed and respectful relationship based on equality and full partnership.

Consistent with this overall approach, the Advocate makes the following recommendations, aimed at enhancing Aboriginal child welfare practice and improving outcomes for Aboriginal children and families.

Legislation, Governance, and Jurisdiction

Recommendation 1:

The Government of Alberta should establish a new relationship with Aboriginal communities based on increased levels of self-determination and support by:

A. Establishing full and equal partnership between governments and Aboriginal communities in the development of authorities, resources, practices, and outcomes for Aboriginal child welfare;

B. Ensuring Aboriginal communities are involved in the delivery of child welfare services to their children and families in both on-reserve and urban communities.

Recommendation 2:

The Government of Alberta should review the child welfare legislation for the Aboriginal context by:

A. Respecting the right of Aboriginal families to their own approaches for raising children and recognizing these approaches for their inherent strengths;

B. Ensuring the child welfare system is supported by excellence in preparation, practice, and research in Aboriginal child welfare, using inclusion and diversity, cultural and traditional methods, and ceremonies.

Resources, Capacity, and Access

Recommendation 3:

The Ministry of Human Services should provide the resources and support for Aboriginal communities to ensure delivery of child welfare services to their children and families by:

A. Establishing a range of services from prevention, through intervention and aftercare for Aboriginal children and families who come into contact with the child welfare system;

B. Completing band registration for First Nations children or Métis citizenship registration for Métis children as a priority for all Aboriginal children in government care so they receive the full range of supports and services to which they are entitled.

Recommendation 4:

The Government of Alberta should vigorously adopt and observe Jordan's Principle for Aboriginal children and families involved with the child welfare system.

Program and Service Delivery

Recommendation 5:

The Ministry of Human Services should improve the effectiveness of child welfare program and service delivery by:

A. Ensuring supports for Aboriginal children and families are delivered with a strength-based approach that reduces risks to child safety and well-being within an Aboriginal context;

B. Establishing an Aboriginal authority for statutory services involving Aboriginal children and families;

C. Identifying and adopting practice standards consistent with the interests of Aboriginal people.

Recommendation 6:

The Ministry of Human Services should support greater continuity of relationships for Aboriginal children and families in child welfare by:

A. Ensuring Aboriginal children in care maintain connections with important individuals in their lives, with special consideration for siblings wherever possible;

B. Increasing the use of kinship care for Aboriginal children by improving support for kinship caregivers;

C. Improving communication with Aboriginal children in the child welfare system by providing them with information about their background and their circumstances, and by considering their views in matters that affect them.

Outcomes and Accountability

Recommendation 7:

In partnership with Aboriginal stakeholders, the Ministry of Human Services should develop a multi-year plan for addressing the overrepresentation of Aboriginal children in care, and report annually on progress achieved.

Recommendation 8:

The Government of Alberta should monitor, evaluate, and report regularly to the Legislative Assembly of Alberta on the state of Aboriginal children living in the province.

INTRODUCTION

For most of us, raising our children will be one of the most rewarding, challenging, and meaningful experiences of our lives. We have struggles, as do all families, but for most of us, our children grow up happy, healthy, and ready for all that life has to offer. While there may be differences in how we do it, the vast majority of children, of both Aboriginal and non-Aboriginal ancestry, grow up surrounded by the love and care of their families. Most do so without ever coming to the attention of government authorities.

Regrettably, not all families are so fortunate. For those facing concerns related to child protection, their involvement with the child welfare system is distressing for the entire family. While the experience of many families is brief and never to be repeated, the involvement of others is longer term, and has consequences that trickle down through the generations.

In Alberta, as in other provinces in Canada, there are differences in how the child welfare system impacts people who are involved. One of the key differences is related to the experience of Aboriginal children and families. Compared to others, Aboriginal families are more likely to be brought to the attention of the child welfare system, more likely to have their children taken into care, more likely to have their children stay in care longer, and less likely to have their children reunited with their families (British Columbia. Ministry of Children & Family Development, 2009; Sinha et al., 2011; Trocme, MacLaurin, Fallon, Knoke, Pitman & McCormack, 2006). As a result, Aboriginal children and families are overrepresented in every part of Alberta's child welfare system.

Over the years, many reports have been written documenting instances where Aboriginal young people have been let down or ill-served by child welfare systems, sometimes with tragic consequences. Despite numerous calls to action, there has not been significant change. In fact, as statistics demonstrate, the situation has actually gotten worse.

Although the number of Aboriginal children in care in Alberta dropped by 17% between 2012 and 2015, the proportion of Aboriginal children in care actually increased by 1.0% during that period because the number of non-Aboriginal children decreased at a greater rate.[3]

In the pages that follow, we will outline what we have learned from our engagement with hundreds of Aboriginal young people, their families, and others with lived experience with Alberta's child welfare system.

They spoke to us with passion and candour about what is important to them, what works for them, and what they hope for those who may come into contact with the system in the future. Through their honest and generous contributions, they gave us insights into what can be done to make the child welfare system work better for Aboriginal children and families.

Their courageous voices, combined with research and analysis, led us to develop a series of recommendations, which, if acted upon, could bring about meaningful, enduring change. Not only could these recommendations significantly improve Aboriginal people's experience with child welfare services, they could dramatically enhance the outcomes the system is able to achieve.

3 Source: Based on December 2012 and 2015 data from Alberta Human Services.

A common theme emerged time and again during our consultations – lost potential. Despite the best of intentions, Alberta's child welfare system is letting down Aboriginal children, and in doing so, dimming their – and our province's – future. As one service provider told us, "Such a high percentage of Aboriginal children in care all with the same abilities and strengths as any other culture. But they have had power taken away from them. At what point do we stop doing what is not working?"

It is our sincere hope that *Voices for Change: Aboriginal Child Welfare in Alberta* will act as that catalyst, helping to transform Alberta's child welfare system so that every Aboriginal child in care has the opportunity to realize his or her potential. The wants and desires of the youth we spoke to were almost heartbreakingly modest. "I want a job, to finish school, and I would prefer not to be homeless," as one youth told us. "Keeping it simple, kids need families with parents that love and raise them, a roof over their heads, education, and food. It's a pretty simple formula."

We could not agree more. Alberta's child welfare system is falling short when it comes to Aboriginal children and youth, and we have a moral obligation to address this. The voices for change are getting stronger, louder, and growing in numbers. We have an opportunity. The question is, will we take it?

HOW DID WE GET HERE?

In addressing the problem of the overrepresentation of Aboriginal young people in the child welfare system, it is important to understand history. "The past," as William Faulkner once wrote, "is never dead. It's not even past."[4] History is someone's story that affects his or her present and future. While we cannot change the past, the better we understand it the better we are able to respond by making changes that will provide hope and shape our future.

ABORIGINAL PEOPLES IN ALBERTA

Aboriginal peoples were in Alberta long before it was a province. Today, more than 220,000 descendants of First Nations, Métis, and Inuit peoples live in Alberta (Statistics Canada, 2013). While Aboriginal people are often treated as a homogeneous entity, they are in fact a collection of groups, each with its own culture, traditions, and history. In Alberta, there are many different cultural groups, including Blackfoot, Cree, Dene, Métis, and Nakoda (Stoney), which span three treaty territories (Treaty 6, 7, and 8), 140 reserves, and eight Métis settlements.

TREATIES AND LEGISLATION

Treaties are historic agreements between First Nations people and the Government of Canada. In the face of colonization, these agreements provided a means for survival. Indigenous leaders signed treaties in hopes of securing resources to help their peoples adapt to rapidly changing social, environmental, and economic realities.

Treaties 6, 7, and 8 were signed separately in the late 1800s. During these treaty negotiations, an overarching piece of legislation, the *Indian Act* of 1876, was enacted as a means for the Government of Canada to manage First Nations people, lands, and resources.

It was the *Indian Act* that introduced two major policy initiatives aimed at "civilizing" First Nations people by eradicating their language and culture – reserves and residential schools. These policies have had long-lasting, intergenerational repercussions that are still being felt by First Nations. As a result of bad past policies, the frustration felt by many in the Aboriginal community was encapsulated in what one mother told us, "They [the government] make us live on a reserve where poverty is horrible and there is no help, and then judge us for the conditions we live in. They cause trauma in our communities, and then judge us for being alcoholics and bad parents. How does that make any sense?"

THE MÉTIS

Métis people have a distinct identity recognized under the Constitution of Canada. As a group, the Métis people share in a rich history that encompasses Aboriginal and European ancestry. Alberta was the first province to enact legislation specific to Métis people, resulting in the legal formation of eight settlements across Alberta.

4 From *Requiem for Nun*.

In 1990, the Government of Alberta passed the *Métis Settlement Act*, which replaced the *Métis Betterment Act*. The new act provided for the legal transfer of land title to the Métis people, local municipal and traditional style self-government, and established eight settlement corporations and the Métis Settlements General Council as legal entities. The provincial constitution was also amended to recognize and protect the Métis settlements and interest in their land and resources.

RESIDENTIAL SCHOOLS, THE SIXTIES SCOOP, AND INTERGENERATIONAL TRAUMA

Between 1883 and 1996, it is estimated that over 150,000 First Nations, Inuit, and Métis children attended Indian residential schools in Canada (Truth and Reconciliation Commission of Canada (TRC), 2015). Taken from their families, these children often faced deplorable conditions in the schools. In 1907, one government medical inspector, P.H. Bryce, reported that 24% of previously healthy Aboriginal children across Canada were dying in residential schools (Fournier & Crey, 1997; Milloy, 1999). Bryce further reported that anywhere from 47% (on the Peigan Reserve in Alberta) to 75 percent (at the File Hills Boarding School in Saskatchewan) of students discharged from residential schools died shortly after returning home (Fournier & Crey, 1997; Milloy, 1999).

The breakdown of Aboriginal families and communities accelerated in the 1960s. This was the decade when non-Aboriginal Canadians became aware of the appalling living conditions on reserves. Instead of making reserves more livable, child apprehension workers were sent to remove children by the busload from what were deemed neglectful parents (Bennett, Blackstock, & De La Ronde, 2005). In some cases, entire communities were left childless and isolated with no resources to cope with the loss of their children. Unsurprisingly, and tragically, these large-scale apprehensions of Aboriginal children led to poor outcomes in mental health, vocational success, and future relationships (Bennett, et al., 2005).

Today, the past continues to impact Aboriginal youth on and off the reserve through intergenerational trauma. The residential schools and the Sixties Scoop took an incalculable toll on Aboriginal families and communities. The fact that Aboriginal children are still being apprehended in such high numbers reminds many in these communities of this dark past. As one adult remarked, "We are back to square one. We don't call it residential schools anymore. We call it foster care. In that same process, kids have to decide if they are going to be Aboriginal or mainstream." Given the weight of this history, it is little wonder that Aboriginal people often express fear of child welfare services and are afraid to seek help for their families.

CHILD WELFARE IN ALBERTA

Alberta has long struggled with providing effective child welfare services to the Aboriginal community. Often sparked by tragedy, initiatives have been undertaken to review and revise the system that serves vulnerable Aboriginal young people and their families. More than 30 years ago, for example, a public inquiry was held into the death of 17-year-old Richard Cardinal, an Aboriginal youth who committed suicide. The inquiry identified 22 recommendations to improve child welfare services for Aboriginal young people (Alberta Attorney General, 1984; Henton, 2014).

Over the last few decades Delegated First Nation Agencies (DFNAs) have been developed in an effort to deliver child welfare on-reserve through Aboriginal agencies. The first agreement to form a DFNA was in 1973 with the Blackfoot (Siksika) - Canada - Alberta Child Welfare Agreement (Alberta Human Services, 2012). There are currently 17 Delegated First Nation Agreements with 37 of the 48 First Nations in Alberta and these Agreements cover 126 of the 140 reserves in Alberta (Alberta Human Services, 2014).

Other efforts have also been made. In 1994, the provincial government announced Children's Services would be redesigned and based on four pillars (Family and Community Support Services Association of Alberta, 1999):

- Integrated services
- Community-based services
- Improved services for Aboriginal children and families
- Early intervention

This revamp led to the *Child and Family Services Authorities Act* and the creation of 18 Child and Family Services Authorities (there are currently eight) in the province to deliver child welfare services under the *Child Welfare Act*. In 2004, the *Child, Youth and Family Enhancement Act* was passed into law. The act contains provisions outlining the matters child welfare authorities must consider when making decisions about children, including considerations specific to Aboriginal children.

In the summer of 2009, the Ministry of Children and Youth Services (now the Ministry of Human Services) announced the formation of an independent panel to review the child intervention system in Alberta. In June 2010, the panel released its final report, *Closing the Gap Between Vision and Reality: Strengthening Accountability, Adaptability and Continuous Improvement in Alberta's Child Intervention System* (Alberta Child Intervention Review Panel, 2010).

In October 2010, the Government of Alberta released its response to the panel's report. Of the panel's four recommendations for services to Aboriginal Albertans, the Government of Alberta accepted and took measures to implement three.

In 2014, initial steps were taken to develop a process leading to a review of the *Child, Youth and Family Enhancement Act*, which had been in place for 10 years. An Executive Leader was appointed who began to engage stakeholders in discussions of Alberta's child welfare legislation. This initiative, however, was placed on hold because of the provincial election. Since then, there has been no further action regarding a review of the legislation, even though 2016 marks 12 years since the *Child, Youth and Family Enhancement Act* was proclaimed.

The Alberta Child and Youth Advocate (the "Advocate") first raised the issue of overrepresentation of Aboriginal children in care in 1993. At that time, Aboriginal children and youth accounted for 37% of those receiving services under the *Child Welfare Act* and 50% of those in care (Children's Advocate of Alberta, 1993). This disproportionate representation was identified as a serious concern that required action. The same issue has been raised, on some level, through every Advocate Annual Report since. As of March 2016, the percentage of Aboriginal children in care is 69% (Performance Analysis & Improvement, Alberta Human Services, 2016).

SO WHERE ARE WE NOW?

Canada's Aboriginal population is growing quickly and experiences significant levels of poverty.

IN 2006

1,168,300

ABORIGINAL POPULATION

BETWEEN 2006 AND 2011

20%↑

ABORIGINAL POPULATION

BETWEEN 2006 AND 2011

5%↑

NON-ABORIGINAL POPULATION

IN 2011

1,400,685

ABORIGINAL POPULATION

(Statistics Canada, 2013)

51%

OF FIRST NATIONS CHILDREN LIVE IN POVERTY

60%

OF FIRST NATIONS CHILDREN LIVING ON RESERVE LIVE IN POVERTY

30%

OF NON-STATUS FIRST NATIONS CHILDREN LIVE IN POVERTY

25%

OF INUIT CHILDREN LIVE IN POVERTY

23%

OF MÉTIS CHILDREN LIVE IN POVERTY

(Macdonald & Wilson, 2016)

Another trend that continues to grow is the proportion of Aboriginal children in care. Even though Aboriginal children make up 7% of the children aged 14 and under in Canada, they account for 48% of the children who are in foster care (Statistics Canada, 2013).

220,695

ALBERTA'S ABORIGINAL POPULATION

3RD HIGHEST IN CANADA

96,865

ALBERTA'S MÉTIS POPULATION

LARGEST IN CANADA

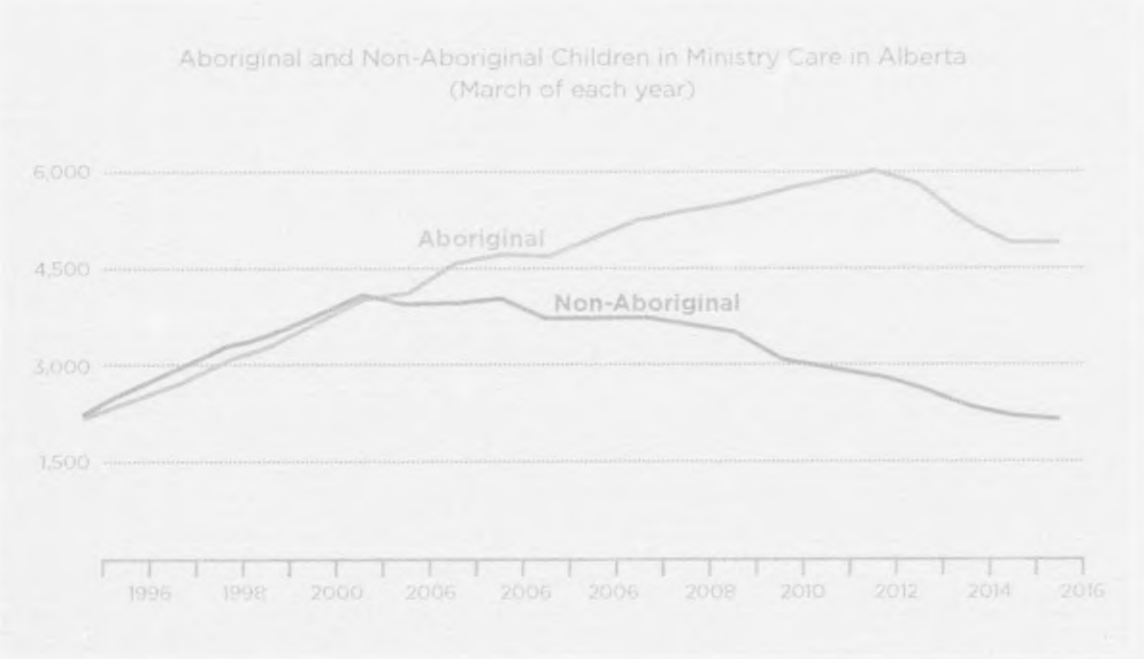
1 IN 10

YOUTH IN ALBERTA ARE ABORIGINAL

(Statistics Canada, 2016)

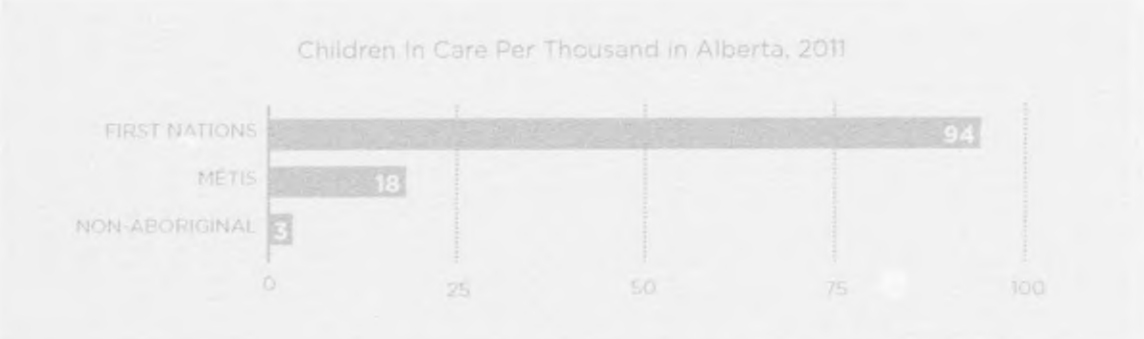
There has been, and continues to be, a significant migration of Aboriginal people from reserves and Métis settlements to urban centers. In fact, 43% of Alberta's Aboriginal population live in Edmonton and Calgary (Statistics Canada, 2013).

As of March 2016, almost 7 out of every 10 young people in the care of Alberta's child welfare system were of Aboriginal ancestry (Performance Analysis and Improvement Unit, Alberta Human Services, 2016). The number of Aboriginal children in care has been climbing for some time, and peaked in June 2012. Although it has decreased over the last few years, the number of Aboriginal children continues to be far greater than the number of non-Aboriginal children. If Aboriginal children were represented in care the way they are in the general population, only 1 out of every 10 young people in care would be Aboriginal (Statistics Canada, 2016).



Source: Data from Alberta Human Services

In Alberta, we also know that the likelihood of coming into the care of child welfare is significantly higher if you are Métis or First Nations. Indeed, a Métis child is about six times more likely to come into government care than a non-Aboriginal child, while a First Nations child is about 31 times more likely. This level of overrepresentation is among the highest in Canada (Aboriginal Children in Care Working Group, 2015; see Appendix E) and must be considered unacceptable by anyone's standards.

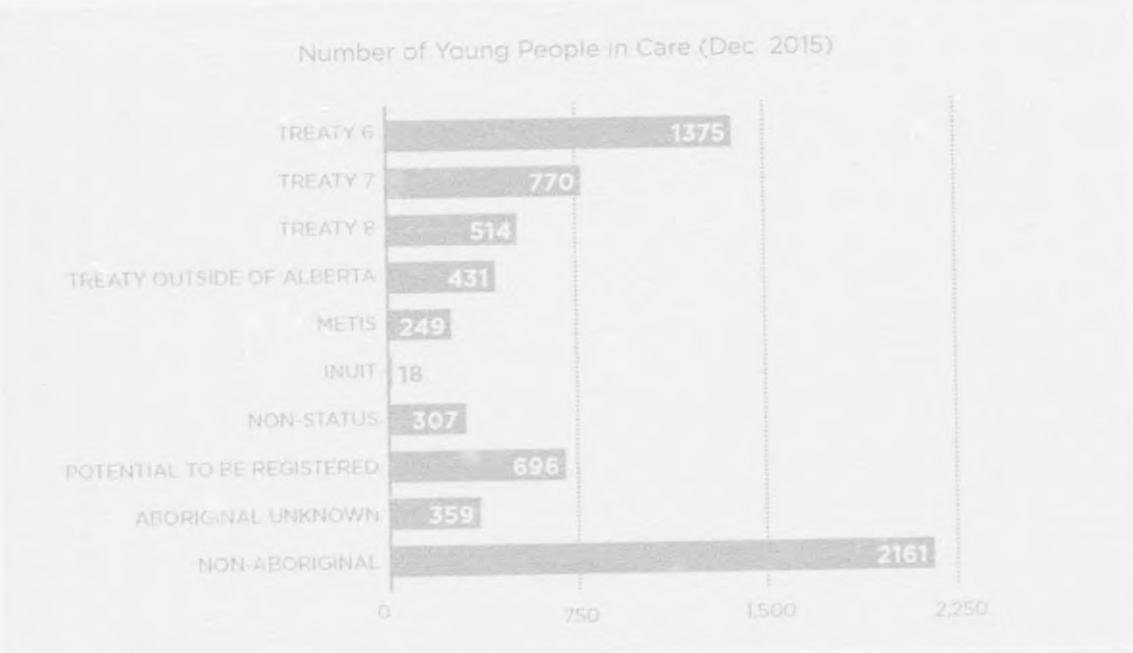


Source: Data from Alberta Human Services and Statistics Canada (2016)

As the child welfare system becomes more intrusive in the lives of young people, the percentage of those receiving services who are Aboriginal and their level of overrepresentation increases. Aboriginal young people make up 3 out of every 4 young people in permanent care.

Source: Data from Alberta Human Services

In December 2015, there were 6,880 children in care in Alberta. Of those, 4,719 are Aboriginal children (69%) and 2,161 are non-Aboriginal children (31%).



Source: Data from Alberta Human Services

The numbers of children in care have decreased over the last three years (by 18% overall), but some groups are seeing bigger decreases than others. The number of Treaty 7 and 8 youth has not decreased as much as Treaty 6, Métis, or non-Aboriginal youth.

Roughly one-third of Aboriginal young people are served by either a Delegated First Nation Agency (DFNA) or by Métis Settlements Child and Family Services. However, there is considerable variation for young people from the three Treaty areas as to how likely they are to be served by a DNFA. Treaty 7 young people are much more likely than their peers to receive services from a DFNA.

Percentage of Young People in Care from Treaty Areas Served by Delegated First Nation Agencies (DFNAs)

Source: Data from Alberta Human Services

WHAT DID WE DO?

In 2014, OCYA staff met with over 300 people across Alberta to get their perspective on systemic issues for young people. While a number of issues were raised during these consultations, one concern in particular stood out: the overrepresentation of Aboriginal young people in the child welfare system. The troubling stories we heard, combined with the frequency with which the issue was raised, led the Advocate to undertake a special report.

An extensive engagement process was undertaken to ensure the Advocate and OCYA staff would hear from a wide range of voices, from people involved with the child welfare system to those who care for and serve children and families in the system.

Our goal was to develop findings and recommendations that would:

1. Improve Aboriginal children's and family experiences and outcomes with Child Intervention.
2. Push Aboriginal Child Intervention to a greater level of practice excellence.
3. Collectively influence Government and others to change their relationship with First Nations and Métis peoples regarding Child Intervention.

To achieve this goal, we asked three questions:

1. What is important for us to know about your life, or the life of an Aboriginal young person, before they were brought into care?
2. What is important for us to know about what life is like for Aboriginal young people in care?
3. Looking ahead, what needs to change to make things better for you or other Aboriginal young people living in care?

We heard many painful stories. Although we share some of them, the focus of this report is on what is necessary to bring about change.

Before the process began, the Advocate met with leaders from Aboriginal communities, including the Grand Chiefs from Treaty 6, 7, and 8 areas, and the President of the Métis Nation of Alberta. During these consultations, the rationale and goals of the proposed special report were raised. The feedback was positive, and the representatives graciously provided ideas about how to proceed.

Next, the Advocate met with Elders from the three treaty areas and the Métis community to seek their guidance. We are grateful for the wise counsel they provided. "Our standards," as one Elder told us, "should be love, caring, and being there." This heartfelt and powerful suggestion helped to guide our work.

Over the next year (January 2015 to January 2016), OCYA staff met with hundreds of people, including Aboriginal youth who had been or are in care, members of Aboriginal families whose relatives or children are or were in care, caregivers and other service providers, and Elders. Information was gathered through focus groups, interviews, and online surveys. Participants were invited to share their thoughts and perspectives about what was important to them before, during, and after their involvement with the child welfare system.

By the end of the year, we had heard from 746 people. The chart below provides a breakdown of those from whom we heard. The map that follows identifies where we went across the province.

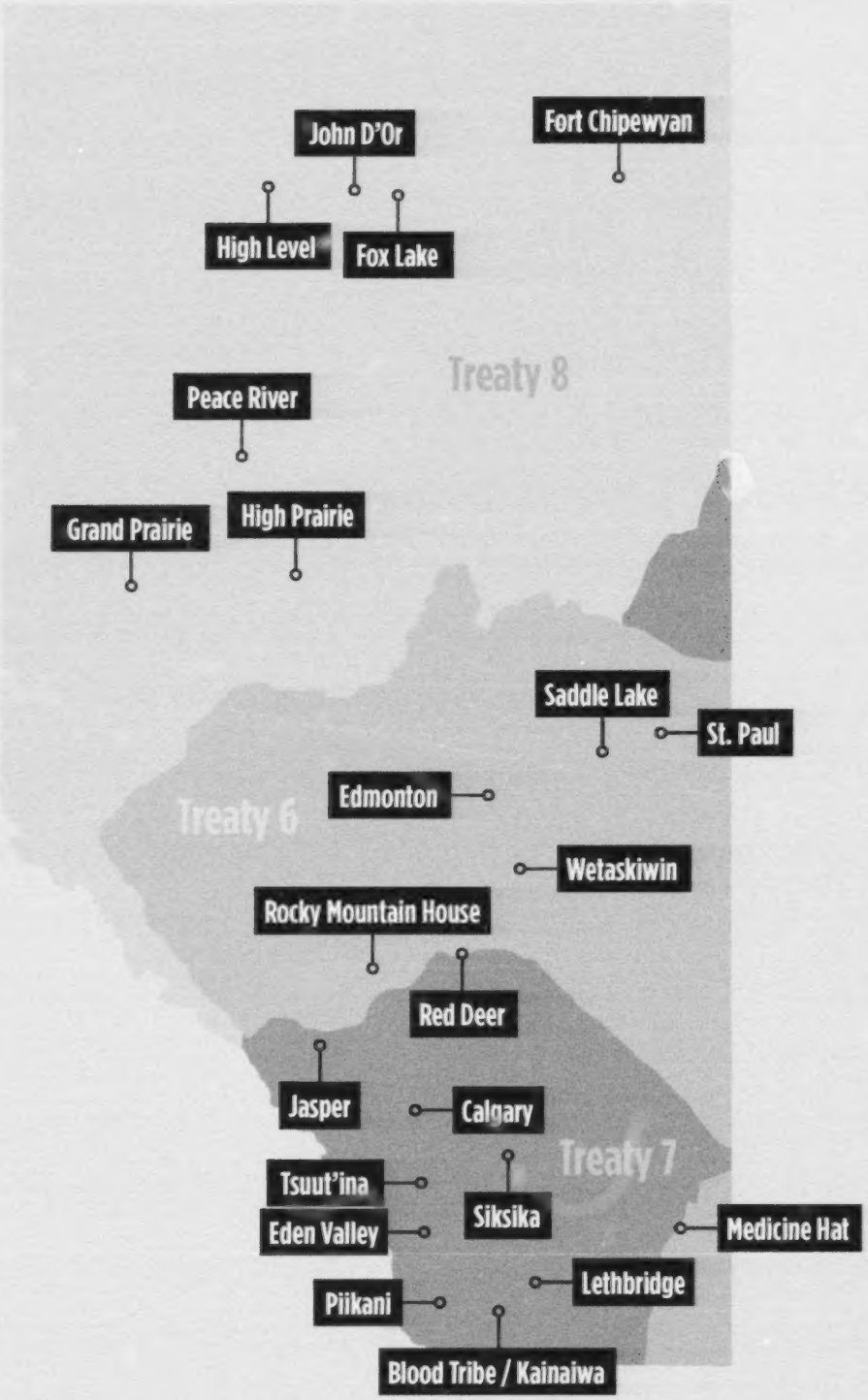
FOCUS GROUP GATHERINGS

SUMMARY OF ENGAGEMENT

TYPE	EVENT	PARTICIPANTS	YOUTH	CAREGIVER	STAKEHOLDER	ELDER
Focus Group Gatherings	54	620	179	96	295	50
Interviews	31	41	25	12	4	0
Online/Paper Surveys	82	82	11	12	59	0
Phone Surveys	3	3	0	3	0	0
Total	**170**	**746**	**215**	**123**	**358**	**50**

GRAND TOTAL = 746 people, 170 consultations.

FOCUS GROUP LOCATIONS



WHAT DID WE HEAR?

GAINING INSIGHT FROM STORIES AND EXPERIENCES

Extensive research has been conducted on the overrepresentation of Aboriginal young people in the child welfare system. This special report builds on this research by bringing forward the voices of youth, Elders, caregivers, and service providers. Their stories and experiences have helped us to identify supports, protective factors, and areas where meaningful change is needed.

It was clear from those we spoke to that the legacy of colonization, residential schools, and the Sixties Scoop continue to impact Aboriginal families and communities. Many participants in the focus groups believed that the continued high number of Aboriginal young people in the care of child welfare was like a new residential school system, robbing them of their self-confidence, language, and culture. "When I was in care," as one youth recalled, "I forgot who I was and where I came from. I remember wanting to be white and being ashamed of who I was. I hope that no child ever has to feel like that ever, no matter what their background is."

Knowing this history, we were honoured to hear so many heartfelt stories from young people, their families, Elders, and other participants. They shared their deeply personal experiences with the child welfare system, and very generously talked about private matters and emotions with us.

This section summarizes the major concepts and themes we heard from participants in response to the questions we asked. Sadly, many young people had little memory of a life outside of child welfare. When asked about the past, one young girl, for example, had only one poignant response, "I want to go home."

While reading the following words, it is important to remember the advice offered to us by an Elder, "The past is always in the present." Unless healing and change take place at the community level, the effects of the past will remain painfully present in the here and now.

What is important for us to know about your life, or the life of an Aboriginal young person, before they were brought into care?

- Love
- Stability and Safety
- Family and Community

Many spoke about the importance of having at least one loving individual involved with every child. Others spoke about how no one could ever love a child as much as his or her own family. This was echoed by many of the young people who shared how they lacked loving individuals in their lives when they came into care, felt alone, and wished affection had been more present in their lives. One youth we spoke to talked about feeling like a "ghost." "They didn't talk to me or interact with me," the young person recalled. "I was just there. I don't want that to happen to other youth."

We heard from young people about their desire for love from, and connection to, their community. One young mother said she had heard about abuse in care and dreamed that her daughter had been adopted by an Aboriginal family who loved her. Another mother said, "People that go into this work better think more about what they are doing because the kids they will come into contact with are starving for love and acceptance. So if you can't be kind and thoughtful that way, then be something else."

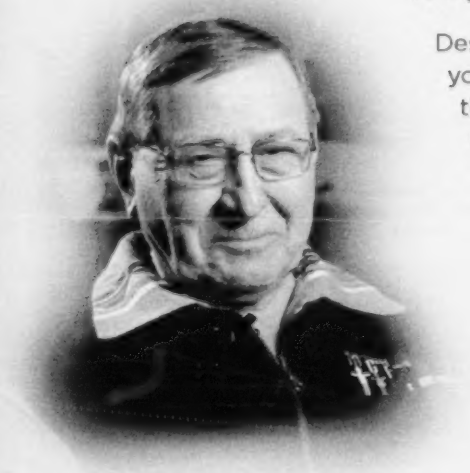
Parents, other caregivers, and foster parents said that Aboriginal children need the same thing as other children - love and affection. "Love," as one Elder told us, "is what matters most." If these children did not receive love while in care, we were told, then they would not know how to love others. What is expected needs to be demonstrated.

Young people repeatedly told us that when they came to the attention of the child welfare system they wanted to have stability and feel safe. In the midst of such challenges as parental substance abuse, family dysfunction, and poverty, young people wanted a greater sense of belonging and a "home." Yet they also yearned for things that were comforting and familiar to them, including affection from their parents, family pets, sleeping in their own bed, spending time with grandparents and cousins, and playing in the yard with friends.

Ensuring children's needs are met in care was a concern that was repeatedly raised. According to those we spoke to, this goes beyond such basic necessities as food, shelter, and safety. It should extend to emotional, psychological, and spiritual needs. Young people said it was important for them to have life skills. They also wanted access to resources that they felt they needed.

Some of the young people we spoke to told us how they lacked emotional and financial stability in their lives before entering the child welfare system. It was the first time these youths had truly experienced freedom from worrying about their basic necessities. They were happy to feel safe again and appreciated the homes that welcomed them and treated them like one of their own children. "My foster parent considers me as her daughter," one young woman shared. "I am part of their family, and they have accepted me as their own."

Such positive experiences, unfortunately, were not the norm. One of the key concerns raised during our consultations was the difficulty of maintaining stability. People told us about placements that were often short-lived, which left young people moving multiple times, switching schools, changing caseworkers, and losing important connections along the way. "I was always moved. They would just show up and take me to my next placement without warning," as one youth told us.



Despite knowing and understanding that their families had challenges, young people said, they still believed in them. It was important to them that their families could access the assistance they needed to become healthier and more successful. "It's important to have access to supports," one youth told us. "For example, psychologists, addictions, mentors, and mental health."

Other participants such as family members, community leaders, and Elders echoed this, adding that child welfare workers

should assess a family's situation and provide supports that will help them. For example, if a family is experiencing poverty, the system should provide financial assistance rather than "punishing" the family. "My children were taken away because I had no physical house for them. They should have just helped me find a new house instead of destroying the children's home," said an upset mother.

The loss of connection to family was a painful theme that was raised time and again. This experience of loss has been highly traumatic for the Aboriginal community. It was stated by participants that the system does not make a good parent. Parents and youth have suggested that support should focus on keeping the family together rather than separating them. It was described by youth that growing up without family is unnatural, and that connection must be maintained.

Young people and their families shared why it is important for them to stay together. They wanted the child welfare system to help make their families work, not take them away. No matter how challenged, they explained, their parents were the people most familiar to them and were an important source of support. As one young person told us, "You can't break up families. Everyone I know always goes back no matter what. No matter how bad it was at home, they want to go back. Someone needs to listen to that."

Many participants wanted to remind us that family is more than just parents; it also includes siblings, grandparents, and other extended family members. Separating children from their family and bringing them into care often means separating them from all of these supports. "Making changes is sometimes good, but making changes without changing the people in my life would be better," as one young person told us.

Participants also stressed the importance of children and youth remaining in their community. Young people told us that despite, and perhaps because of, the difficult circumstances in their home, the relationships in their communities became even more important. We heard stories about wanting to stay at their school, remaining close to their siblings and peers, and being around other familiar surroundings. These touchpoints were important to them. Community members have relationships and a collective sense of responsibility to the child, and it is important that these be supported.

What is important for us to know about what life is like for Aboriginal young people in care?

- Identity
- Connections
- Belonging
- Having Needs Met
- Stability and Safety
- Dignity and Respect
- Having a Say and Being Heard
- Hearing and Having a Voice

Participants consistently emphasized the importance of enabling children to understand their identity. Children in care, especially those involved from a very young age, need the opportunity to learn:

- who they are and where they come from;
- who their family members are; and
- why they were brought into care, even if the story is difficult.

Some young people told us that they did not learn about their relatives while they were in care, and had trouble understanding why they could not be with their parents and extended family members. This was troubling to them and represented gaps in their identities and life stories, making them feel different and incomplete. This was the case even in loving, supportive environments. "I was lucky being in the same home for 11 years, and felt that my foster mom loved me the best she could, and we are still good friends," recalled one youth. "But I always knew there was a spiritual piece missing."

Participants also emphasized that children needed to know that they were of Aboriginal heritage, and to understand what that means. We heard stories about children coming into care at very young ages and not learning about their true ancestry until much later in life, causing them emotional distress. We also heard stories about children in care being ashamed about being Aboriginal and not wanting to learn about or embrace their culture. "I wasn't proud to be Native," as one youth told us. "I thought that I was assimilated. I don't know what it means to be Native."

Having children learn and understand their background, participants said, is vital for helping them develop a healthy identity. Research demonstrates a strong sense of community is the most significant factor in maintaining cultural identity (de Souza & Rymarz, 2007).

Identity is grounded in the everyday needs of the community and transforms as a child ages and his or her abilities grow and develop (Bowers, 2010). In order for cultural identity to be passed along generational lines, it is important for one generation to pass on its beliefs to its children. Participants raised band registration or registration as Métis citizens as an integral component of identity, providing children with a key piece of information about who they are and where they come from.

While they were in care, participants explained, it was important for young people to maintain connections with significant people. This included contact with parents and relatives, contact with peers or meaningful adults in their home community, and even contact with significant individuals from their time in care. We heard stories about children struggling to maintain contact with family and community members or, in some cases, being denied contact with them. We heard young people voice their sadness and frustration at being unable to contact or interact with their siblings. As one youth shared with us, "I was happy when I was first in care to be with my siblings, but over time my caseworker did not make it a priority to stay in contact with family. When I came back in my teens, it was like I did not belong. I came back to the reserve and people did not even recognize who I was."

We also heard about situations where young people had developed relationships with members of a foster family, only to have these relationships suddenly cut off when they changed placements or were returned to their parents' care. Participants emphasized that being brought into care is an overwhelming and often frightening process that is better managed by maintaining their existing relationships.

Further to that, many of the participants stressed that children in care need to feel a sense of belonging, both while in care and after they return home. Young people said they wanted to feel like a part of a family. Some said that intentionally or not, they were made to feel different or separate. Some young people also told us that they felt caught between two ways of being. When they returned home they recognized that they spoke, acted, and even felt different than they had before.

Many young people said their lives in care were regimented and they were constantly reminded they were in care as a result of rules and requirements. They said they should be able to make mistakes and learn from them rather than being threatened with – or sent on to – another placement. This was evident in the story one youth shared: "After settling down with my foster family, they told me unexpectedly that I was too wild and crazy for them. Soon after, they put me in an out-of-province group home without my consent."

Young people told us that they placed importance on safety and stability. If they could not stay with their parents or relatives in their community, then they wanted a place to live that provided the safety and stability they did not have at home. Unfortunately, we heard that young people in care did not always have this. We heard stories about young people experiencing multiple placements, and some allegations of abuse.

At the same time, other young people spoke positively about the stability they experienced while in care. They expressed gratitude for recreational and other experiences they would not have had at home. Young people conveyed their appreciation for environments where they were able to have regular meals, go to school, make friends, and feel a sense of security.

Beyond physical safety and stability, young people told us that they wanted to be emotionally supported. They wanted to feel like they were part of a family, a feeling that they did not always have in their family home. They wanted to be seen as children who needed and wanted to be loved, encouraged, and nurtured. While we heard some stories of young people finding these things, we also heard sad stories of young people feeling invisible or isolated. Others said they felt misunderstood or "given up on" when they made mistakes. As one participant aptly summed up, "Children in care want and deserve love, loyalty, and respect."

Being able to confide in a meaningful adult was important to young people. Participants stressed that children need role models they can look up to. Informal supports and positive role models can be found in various places and through various individuals in the child's life, including community members and leaders, Elders, foster families, and family of origin (Mech & Clark, 2003). They also need people in

their lives who will advocate for them; this, they said, is not always their caseworker. We heard stories about young people feeling ignored or dismissed when they raised concerns with caseworkers.

Many participants said that good communication was especially important during children's time in care. Young people expressed frustration that information was not as thorough or forthcoming as they would have liked. They wanted to know what was going on with their family's situation and the prospects for returning home. They felt uncertain about their futures and wanted to know what would happen next. Some young people felt that information was withheld or that they were lied to during their time in care, and this contributed to a lack of trust in adults. Although there was acknowledgement that not all information can be shared, there was a clear message that those involved with the child, should have open and frank communication so that expectations are clear.

Some young people told us they worried a great deal about turning 18 years old and "aging out" of care, because of the uncertainty of being outside of child welfare. Their concerns are well founded. Many of the youth who age out of care experience negative life outcomes, including homelessness, poverty, and unemployment (Jim Casey Youth Opportunities Initiatives, n.d.).

Participants also stressed that young people who come into contact with the child welfare system should be given a voice at all times. Indeed, it is critical to treating young people with dignity and respect. Understandably, those we consulted said they wanted to have a say in decisions concerning them. They often come from family situations where so much was outside of their control, and then they are placed in environments based on decisions made by others. This lack of control over their lives, many told us, led them to act out while in care. Participants said that being consulted about their situation, and being able to voice their opinions about what should happen to them, helps young people navigate the child welfare system. When youth are empowered and engaged in their own lives, they are less likely to engage in risky behaviour (Centre of Excellence for Youth Engagement, n.d.).

Looking ahead, what needs to change to make things better for you or other Aboriginal young people living in care?

- Cultural Connections (Family and Community)
- Parenting Styles
- Placements and Kinship Care
- Supports (Families and Relationships)
- Flexibility and Sensibility
- The Capacity to Change

Connection to and the acknowledgement of Aboriginal identity was one of the most prominent discussions throughout the focus groups. Youth often described how they felt like they had lost themselves. Some said the child welfare system made them confused and forget they were Aboriginal. Whether from being placed in a foster home that did not involve the youth in their culture, or because they were forced to participate in a new religion, youth felt a large sense of loss when they were brought into care. They described being put in homes where they were forced to engage in new customs they were not comfortable with.

Consistently, Elders, youth, and caregivers stressed that Aboriginal children need to be connected with their traditions and culture, taught about their background and ancestry, understand what it is about, and be proud of it. Knowing and understanding their traditions and culture helps develop their identity and gives them a sense of meaning in the world. This knowledge will help them to be resilient individuals when they leave care.

We were also told how important it is that Aboriginal parenting be recognized when looking at a family's situation. "What needs to be respected," as one parent told us, "is our traditional way of parenting." In many Aboriginal cultures, raising children includes a wider range of people. Participants told us that Aboriginal children may have many different homes in a community from time to time, and the community collectively ensures that children are looked after. The parenting model for Aboriginal families can look different from Euro-Canadian parenting. Participants said the child intervention authorities at times take a view that Aboriginal children are not being cared for when in fact that is not the case.

Keeping Aboriginal children in their communities helps maintain their connections with family members and other significant adults. Participants told us that, too often, Aboriginal children brought into care were placed in homes outside their community. This distance creates practical barriers, as it makes it more difficult for family and community members to maintain meaningful relationships. It also presents emotional, psychological, and spiritual barriers because the child is immersed in unfamiliar surroundings where he or she is less likely to learn traditional practices.

Kinship care was repeatedly offered as a potential solution that would enable young people to remain connected to their families and communities. "It's not right to give kids to someone they don't know," as one worker told us. A youth with experience in the system told us, "I didn't want to be in care or with my mom ... I wanted to live with my grandparents, but no one listened." Such stories were common.

Many families we heard from expressed frustration, saying the onerous requirements to be approved and the lack of financial and emotional supports often prevented them from becoming a kinship home. A number of participants argued that funding levels for kinship care need to be improved. We also heard that Delegated First Nation Agencies may be better able to support kinship homes due to their knowledge of, and connection to Aboriginal communities.

Similarly, participants said the child welfare system should take historical context into account when assessing the suitability of potential kinship caregivers. They should be assessed for who they are today, rather than who they were many years ago. They were able to provide kinship care now, but were deemed unsuitable due to their history.

Another challenge many participants identified was the lack of supports for Aboriginal parents. With more support, fewer young people would have to go into care. Participants consistently said that Aboriginal parents and families who are experiencing challenges should

receive targeted support and assistance. "We work with parents who are impacted by FASD (Fetal Alcohol Spectrum Disorder)," one caseworker offered by way of an example. "They are good parents. They just need some support." Participants recognized it would take a significant commitment and investment to move away from the current approach, however, they all saw the importance of this undertaking.

When an Aboriginal child is brought into care, other participants argued, his placement in a safe environment should represent the beginning of support he receives, not the end. A range of professionals from various disciplines should assist the child to help him deal with his challenges. This should extend beyond medical issues to include supporting the child's emotional, psychological, and spiritual well-being. Some participants described an interdisciplinary team approach where everyone concerned with the child comes together to holistically assess the child's and his family's situation and provide support. When caregivers fail to provide adequate emotional support to the children placed in their homes, they ultimately experience negative emotional regulation and have more problems with poor externalized behaviours (Dubois-Comtois et al., 2015).

Participants also expressed concern that the child welfare system is bureaucratic and inflexible to the detriment of children. Foster parents expressed frustration that bureaucratic impediments make it difficult for a child in care to have a play date or participate in a recreational activity. Other stakeholders talked about rules that prevent group home staff from doing things they know would be helpful and beneficial for children in their care. Participants said these types of concerns could be avoided if there was a way for Aboriginal children to remain in their communities and be cared for by community members, rather than removed and placed in foster homes.

Concern was expressed over the child welfare system's failure to recognize that the challenges faced by some Aboriginal families are the result of history. The legacies of such harmful policies as the residential schools system and the Sixties Scoop have been passed on to successive generations of Aboriginal families. This has contributed to poverty, substance abuse, and other challenges. Some participants said the child welfare system often comes across as the government punishing Aboriginal families for things that the government itself caused. As one caseworker noted, "We've placed First Nations people on reserves. Then we say reserves are not good enough for First Nations people to live, so take their children away." It is important, therefore, that the child welfare system regard Aboriginal families within the context of historical events and does what it can to support Aboriginal parents who are struggling.

The Importance of Making a Difference

In closing this section, it is important to reflect on something else we consistently heard at the focus groups, "**Will what we say make a difference?**" It was not a response to one of our three questions; it was a response to the very fact we were meeting with people to talk about the overrepresentation of Aboriginal children and families in the child welfare system. In one form or another, we heard the same question from a number of people. We have the same question. Will the compelling, heartfelt stories we heard from across the province make a difference this time?

WHERE DO WE GO FROM HERE?

The perspectives we heard through our extensive engagement process gave us a great deal to think about. With the benefit of those perspectives, we examined how the current child welfare system is working for Aboriginal children and families. We also undertook research, which informed our examination and helped us identify how the system could work better.

Based on what we learned, we identified four areas where improvements can be made:

- Legislation, Governance, and Jurisdiction
- Resources, Capacity, and Access
- Program and Service Delivery
- Outcomes and Accountability

We believe the Government of Alberta must act in these critical areas if the child welfare system is to have a meaningful, positive impact on the experiences and outcomes for Aboriginal children and families in the province.

LEGISLATION, GOVERNANCE, AND JURISDICTION

The premise of our recommendations in this area is straightforward: when it comes to its activities with Aboriginal children and families, the child welfare system has not worked well for the Aboriginal community. There are real differences in how people see their lives and their relationships to the world around them.

In our consultations, we heard time and again that unworkable premises underlie the current child welfare system. Fundamentally, the system is rooted in a Euro-Canadian worldview. That is, the parents in the household alone are responsible for their children. It is an individualist worldview based around what we often refer to as the "nuclear family."

For most Aboriginal communities, in a clear and undeniable way, the lens of family is much wider. Responsibility for a child extends beyond the child's nuclear family to include the extended family, neighbourhood, and in some circumstances, the whole community. It is a collectivist worldview, rather than an individualist one. This has real benefits and consequences for how children are cared for and raised.

The difference between the worldview that underlies the child welfare system and the Aboriginal worldview has significant impacts. Things that are traditional parenting practices in some families and communities can be perceived by the child welfare system as inadequate parenting. Throughout our engagement process, we heard repeated stories about this difference in perceptions and how it impacts risk-assessment for Aboriginal children.

Without significant changes to the way the child welfare system understands Aboriginal children and families, there is every reason to believe that Aboriginal children will continue to be overrepresented in care. Until then, the child welfare system will continue to be inclined to assess Aboriginal children and families through the same lens it uses for non-Aboriginal children and families, leading to decisions that are detrimental for Aboriginal children and families.

We heard repeatedly that Aboriginal people do not feel they have had a significant role in the way the child welfare system works. They feel like the system was not designed for them. A number of people we spoke to described experiences with the system that had left them hurt and angry. Many were discouraged about the chances of this ever changing. Those who described the possibility of positive changes often spoke about the need for greater involvement from Aboriginal people in the leadership and design of the child welfare system.

It is from these considerations that we make recommendations to the Government of Alberta related to legislation, governance, and jurisdiction.

Recommendation 1:

The Government of Alberta should establish a new relationship with Aboriginal communities based on increased levels of self-determination and support by:

A) Establishing full and equal partnership between governments and Aboriginal communities in the development of authorities, resources, practices, and outcomes for Aboriginal child welfare;

B) Ensuring Aboriginal communities are involved in the delivery of child welfare services to their children and families in both on-reserve and urban communities.

Too often, government ministries and entities have come to Aboriginal communities and dictated the terms of the relationship between governments and the community. Over the course of Canadian history, this approach has generated some poor legacies regarding Aboriginal children.

Furthermore, although there have been some well-meaning efforts to adjust the approach to delivering child welfare services, the overrepresentation of Aboriginal children in care has not been meaningfully reduced. It is time for a new approach.

The Truth and Reconciliation Commission (TRC) recognized this (See Appendix F). One of its calls to action is for governments to "affirm the right of Aboriginal governments to establish and maintain their own child-welfare agencies" (TRC, 2012). This is consistent with the notion of self-determination for Aboriginal communities, which has been demonstrated to help improve outcomes for Aboriginal children and families.

The Advocate recommends that the Government of Alberta fully embrace the TRC's call to action, and establish a new relationship with Aboriginal communities in respect to child welfare. We heard from many stakeholders that increasing self-determination and support to Aboriginal people for child welfare services with their own children and families could help ensure that services are more effective. This approach could also make sense from a cultural standpoint, as it could support the values Aboriginal people want for their children.

This new relationship should also recognize that Aboriginal communities have roles to play in the delivery of child welfare services in urban centres. Defining these roles can ensure the principle of self-determination is present for Aboriginal families involved with the child welfare system in urban environments.

Jurisdiction is a critical consideration for Aboriginal children and families that receive child welfare services while residing outside their home community. Not all Aboriginal children and families who interact with the child welfare system live in Aboriginal communities. Over the decades, there has been substantial migration by Aboriginal people to urban areas in Alberta.

Aboriginal children and families who live outside of their home community are often served by a region that has little to no involvement with their home community. Resolving the challenge of jurisdiction could help ensure that Aboriginal children and families involved with child welfare have a meaningful level of involvement, support, and continued connections to their home community.

When an Aboriginal family moves to an urban area, they do not leave their background, culture, and parenting approaches behind. The community where the family lives may change, but Aboriginal children may continue to benefit from relationships and attachments to others in their community beyond their biological parents. When a family living off-reserve becomes involved with the child welfare system, there is still a need for them to be served from an Aboriginal perspective. And there is still a place for culturally relevant and appropriate supports.

The Government of Alberta needs to ensure Aboriginal people have a greater voice in the determination of culturally relevant child welfare services in urban centres.

Recommendation 2:

The Government of Alberta should review the child welfare legislation for the Aboriginal context by:

A) Respecting the right of Aboriginal families to their own approaches for raising children and recognizing these approaches for their inherent strengths;

B) Ensuring the child welfare system is supported by excellence in preparation, practice, and research in Aboriginal child welfare, using inclusion and diversity, cultural and traditional methods, and ceremonies.

With an accommodation of Aboriginal worldviews, the child welfare system would recognize that family is about more than biological parents and that most Aboriginal children have attachments to many adults beyond their biological parents. These caring and supportive people are often a valuable source of strength and reassurance to children.

The Euro-Canadian worldview of the child welfare system is rooted in legislation that gives authority and sets out rules, objectives, and principles for the system. That legislation needs to be reformed to successfully adopt and work from an appropriate worldview when it serves Aboriginal children and families.

At its heart, Aboriginal child welfare reform should consider a partnership that reflects the richness and diversity of Aboriginal people in Alberta, one that builds on the strengths and wisdom of Elders and the knowledge and experience of the scholars and institutions that have advanced the practice of Aboriginal child welfare in the province. This could be accomplished through the development and implementation of a Center of Excellence for Aboriginal Child Welfare in Alberta.

Most importantly, the review of child welfare legislation for the Aboriginal context should be informed by Aboriginal voices. This will ensure that the legislation will better recognize their unique cultural strengths and reflect a culturally appropriate worldview.

RESOURCES, CAPACITY, AND ACCESS

An important learning from our engagement process, research, and analysis is that Aboriginal children can suffer tremendously when they are separated from their community. Even if their placement in care is a physically safer environment, it is not necessarily better for the young person emotionally, psychologically, or spiritually. This needs to be acknowledged and acted upon.

Taking an Aboriginal young person out of her community means disrupting her existing supportive relationships with family and community members. It means removing her from familiar surroundings and placing her in an unfamiliar environment. And, when the placement is with a non-Aboriginal family, it can mean severing her connections with her culture and impairing the healthy development of her identity.

All of this represents profound loss for the young person, a loss that she may struggle to express, understand, or come to terms with, especially if she has experienced trauma before coming into care. Young people with unresolved trauma can experience crisis as a result of significant disruption in their lives.

Throughout our engagement process, we repeatedly heard the message:

> *"Don't take a child away from their family and community, but work with the community to help the child's family work better."*

This statement offers valuable insight into what needs to be done to create a child welfare system that better serves Aboriginal children and families.

Greater attention should be placed on keeping Aboriginal children in their communities and, wherever possible, maintaining connections with who they view as family. Working from this perspective could reorient the system so that Aboriginal children could receive more exposure to familiar surroundings and preserve their cultural connections, benefitting from the supportive relationships they have in their communities. Time and again, we heard from

stakeholders, especially Elders, that the safety and well-being of children and their families could be best supported and strengthened in culturally appropriate ways by people within their communities.

Action must be taken to strengthen Aboriginal communities' capacity to provide for the care of their children. As previously mentioned, many Aboriginal communities face long-standing challenges that will require sustained support and resources to overcome. That being said, addressing these challenges will be critical for Aboriginal communities to effectively serve the child welfare needs of their children and families. While a range of stakeholders should support this process, Aboriginal people must drive the change.

Recommendation 3:

The Ministry of Human Services should provide the resources and support for Aboriginal communities to ensure delivery of child welfare services to their children and families by:

A) Establishing a range of services from prevention, through intervention and aftercare for Aboriginal children and families who come into contact with the child welfare system;

B) Completing band registration for First Nations children or Métis citizenship registration for Métis children as a priority for all Aboriginal children in government care so they receive the full range of supports and services to which they are entitled.

Consistent with changing child welfare legislation for the Aboriginal context, there needs to be a shift in approach when it comes to delivering supports for Aboriginal children and families. There is an opportunity to shift emphasis away from a reactive model featuring apprehension to a preventative model that seeks to strengthen, support, and unify families.

We heard from a large number of people, including youth, parents, Elders, and service providers who questioned the wisdom of providing financial support to foster families with apprehended Aboriginal children in their care. In their view, there are many circumstances where that same money could be better spent to strengthen and support the Aboriginal child's family, thereby enabling the child to remain with his family and in his community.

Instances where children are apprehended because of poverty and perceived neglect are prime examples. The financial resources used to support a group home or foster home placement for these children could instead be used to help these children's families address the issues of concern. As a result, difficulties could be addressed before children needed to be taken into care.

While there will always be a need, regrettably, for placements in care, it can be argued that adequate resources are already deployed on this front when it comes to Aboriginal children. At least some of these resources could be used more proactively to encourage and support family functioning and unity.

Throughout the engagement process, we heard from stakeholders, family members, and Elders about the significant financial barriers Aboriginal communities face in developing and accessing supports. We heard from Aboriginal communities who want to develop capacity to serve local children and families, but lack the means to do so. In order to access services, young people are sometimes moved from rural or remote communities to large urban centers where there are few supports and very substantial lifestyle adjustments.

It is important that the Government of Alberta, working with the federal government where applicable, enhance the capacity of Aboriginal communities to serve local children and families. Many Aboriginal communities have people available who could deliver culturally relevant programs. However to do so, they need assistance in securing the necessary resources and supports.

Building this capacity would enable Aboriginal children and families to receive programs, services, and supports from people they know without having to leave their communities. Families could heal and strengthen together, supported by the relationships they have with other community members.

One area where capacity enhancement is especially needed is youth programming. Youth participants in our engagement process consistently expressed a desire for better access to programs and resources that support their physical well-being and keep them involved in positive activities. A significant benefit of such programming is that it offers many opportunities for cultural learning, which is known to promote self-esteem and resilience in young people.

Another area critical for ensuring Aboriginal children know who they are and where they belong is through band registration for First Nations children or Métis citizenship registration for Métis children. A registration document alone does not teach a child about who she is. It can, however, provide a gateway to learning about who she is, and it can serve as a strong confirmation for a child as she forms her identity.

Registration is also consistent with the United Nations Convention on the Rights of the Child Article 8 (the right to an identity) and Article 30 (the right to learn about and practice their own culture, language, and religion). The importance of registration as a human right is also reflected in multiple articles in the United Nations Declaration on the Rights of Indigenous People, particularly Article 9 (the right to belong to an Indigenous community) (for further information, please see Appendix F).

The Government of Alberta should work with the federal government and Aboriginal communities to facilitate registration for all eligible children who are brought into care by the child welfare system. Children who are in care should be made aware of their registration and taught about its significance.

Recommendation 4:

The Government of Alberta should vigorously adopt and observe Jordan's Principle for Aboriginal children and families involved with the child welfare system.

Aboriginal people can be caught in a jurisdictional conflict between federal and provincial governments. Too often, confusion over which government has responsibility for which issue has resulted in Aboriginal children and families falling through the cracks. There is a process available to address this significant shortcoming.

"Jordan's Principle" was developed in response to Jordan Anderson, a five-year-old First Nations child from a remote reserve in Manitoba who died in hospital while the provincial and federal governments argued about who would be responsible for the health care costs of moving him closer to his home. The essence of Jordan's Principle is that a child's needs should be responded to first and foremost. Only once those needs have been met should any outstanding jurisdictional issues be handled. Under Jordan's Principle, the organization of first contact takes responsibility for providing resources to meet the child's needs.

Jordan's Principle was unanimously passed in the House of Commons in 2007, but neither the federal government nor provincial and territorial governments have fully implemented it. A growing number of organizations, including the Assembly of First Nations, the Canadian Paediatric Society, the Canadian Association of Paediatric Health Centres, and UNICEF Canada, have called on the federal, provincial, and territorial governments to work with First Nations to develop a governmental response that reflects the true spirit of Jordan's Principle (Jordan's Principle Working Group, 2015).

The Advocate recommends that the Government of Alberta vigorously adopt Jordan's Principle in respect of Aboriginal children who interact with the child welfare system. Adopting this "child-first" approach across governments would help ensure that the needs of Aboriginal children are met as the first priority.

The spirit of Jordan's Principle also has application in an intra-provincial context. The organizational reality of government is that each ministry is given a limited budget to carry out its responsibilities. This can result in jurisdictional disputes among Government of Alberta ministries. For example, if an Aboriginal child has a need for specialized support that is not purely related to health but is driven by a health circumstance, should that be addressed through Alberta Human Services, or through Alberta Health? A vigorous commitment to Jordan's Principle would generate the answer, "It doesn't matter. Just get the child the support he needs, and then we will sort out who is responsible for the money." This is the kind of spirit that should be shared across the entire Government of Alberta when it comes to assisting children and families.

PROGRAM AND SERVICE DELIVERY

We heard a great deal about the need for appropriate programs, services, and supports for children in care and for families who are involved with the child welfare system. While some children and families express satisfaction with the services they received, others said they faced challenges getting the assistance they required.

Throughout our engagement process, we heard about Aboriginal parents feeling defeated and giving up hope in the face of poor access to supports. In some communities, there is little to no help for addiction issues. Participants also described parents waiting six months or longer for treatment services while their kids were stuck in foster care. We also heard about the frustrations of families who need to go outside their communities to access help but lack the means to transport themselves there.

Service providers expressed some of the greatest concern, saying that poor service levels contributes to elevated risk of crisis for Aboriginal young people. Existing services do not always meet the level of need, and are often available only after a crisis occurs. Significantly, more must be done to reduce incidents of crisis for Aboriginal young people both in and out of care.

The Advocate's recommendations in this area are aimed at improving the effectiveness of program and service delivery to Aboriginal children and families who are involved with the child welfare system.

Recommendation 5:

The Ministry of Human Services should improve the effectiveness of child welfare service and program delivery by:

A) Ensuring supports for Aboriginal children and families are delivered with a strength-based approach that reduces risks to child safety and well-being within an Aboriginal context;

B) Establishing an Aboriginal authority for statutory services involving Aboriginal children and families;

C) Identifying and adopting practice standards consistent with the interests of Aboriginal people.

Supports should work so that they build on a family's existing strengths and work to improve their situation overall, rather than cause them to make trade-offs that might improve one area of their lives at the expense of others.

Along with this strengths-based approach, risk assessments should be undertaken within an Aboriginal context. This would enable child intervention workers to assess an Aboriginal family's situation through its worldview, thus providing a more comprehensive and realistic picture of the existing strengths, supports, and risks related to the safety and well-being of its children.

If people can be assured that getting assistance will mean making their situations better, rather than risking further loss or disruption to their family, they may be more likely to use that assistance.

We heard that many Aboriginal children, families, and communities have trust issues with government resulting from their experiences with child welfare. Some families are afraid to seek help for substance abuse, domestic difficulties, or other challenges. They fear that saying, "I need help" will result in the government taking their children away. Enhancing trust requires changing how things are done. Fully embracing a strengths-based approach to service delivery can help start to turn things around, improving the lives of Aboriginal children and families as a result.

Another key consideration is the need for the increased authority of Aboriginal people in the delivery of child welfare services to Aboriginal children and families. Although there have been recommendations made in the past, greater authority for Aboriginal people has not moved forward in a meaningful way.

The last independent panel to review Alberta's child intervention system in 2010 recommended a senior executive position at the Assistant Deputy Minister (ADM) level to enhance the capacity and cultural competency of the child intervention system to serve Aboriginal children and families. The Government of Alberta supported this recommendation, and this position has been in place for a number of years. While there is little doubt this has been a positive step, and one that continues to be a valuable addition, it does not carry the authority required to ensure the processes, decisions, and accountability for services related to Aboriginal child welfare are in place. That authority must be in the hands of the Aboriginal community.

The child welfare system should include meaningful Aboriginal authority for services to Aboriginal children and families. It must be able to ensure services and supports to Aboriginal children and families are provided within a policy and practice framework that supports the best interests of Aboriginal children and families.

Some of the people we heard from suggested an Aboriginal Statutory Director would increase authority for child welfare program and service delivery. This position, in addition to the current ADM focused on policy and community engagement, is one way to help increase the authority and accountability of the system. It could ensure program and service delivery is focused on improving the experience and outcomes for Aboriginal children and families.

While the importance of an increased authority for child welfare services to Aboriginal children and families is apparent, there may be other ways to achieve it. Discussions between the provincial government and Aboriginal governments could result in a number of actions to increase this authority.

Practice standards are another measure that can improve services in child welfare. Practice standards, when developed and implemented appropriately, can help shift practice towards

the goals the standards are intended to achieve. There should be discussions with the Aboriginal community about practice standards specific to Aboriginal people. While there may be differences between First Nations people and Métis people about practice standards, such an undertaking would nonetheless prove helpful to child welfare reform. In Alberta, First Nations practice standards involving each of the treaty areas has been in development for some time. The implementation and accountability for them remains uncertain, though there are groups who embrace them now and state they are effective in service delivery.

Métis communities may want to consider practice standards as a way of ensuring that critical processes, decisions, and standards for their children and families are also in place when they are involved with the child welfare system.

Practice standards are an area where it is important that government aligns its actions with standards that are supported by the Aboriginal community.

Recommendation 6:

The Ministry of Human Services should support greater continuity of relationships for Aboriginal children and families in child welfare by:

A) Ensuring Aboriginal children in care maintain connections with important individuals in their lives, with special consideration for siblings wherever possible;

B) Increasing the use of kinship care for Aboriginal children by improving support for kinship caregivers;

C) Improving communication with Aboriginal children in the child welfare system by providing them with information about their background and circumstances, and by considering their views in matters that affect them.

The child welfare system needs to do more to keep children in care connected with people who are important to them. We know from research that doing so has many benefits for children.

Having a connection with a significant individual is good for a child's emotional development. It supports his psychological well-being. When the child shares a cultural background with the individual, he is more likely to learn about his traditions and cultural practices, which supports the development of his identity.

A child's family members are important individuals in his life, even if the child is unable to stay with his parents. Elders and other significant members of the child's community are also important. For many Aboriginal people, these individuals will have roles central to the child's upbringing.

Children need to be able to regularly see, speak with, and stay connected with these individuals, and it should be an expectation that this will happen. Maintaining caring relationships with people who are important to children needs to be considered as central to their care and well-being.

We heard from young people that being close by is a key element in helping to maintain their connections with important individuals. Ideally, children should stay in their own community, and if possible, maintain involvement with their school and other significant and meaningful groups important to them. If a child has to be placed outside her community for safety or logistical reasons, she should be in a place that is as close as possible to the significant individuals in her life.

During our engagement process several young people told us that they would have liked to maintain the same caseworker. Some said that they had several different caseworkers during their involvement with the child welfare system. Maintaining continuity of caseworkers and other service providers creates additional opportunities for children to build healthy connections, and provides a much-needed sense of stability.

Siblings are particularly crucial connections for a child. We heard from many participants about the importance of keeping siblings together when children are brought into care.

Siblings can provide each other with mutual support and understanding. With a shared history and background, they can also help each other in forming a cultural identity (de Souza & Rymarz, 2007). Siblings placed totally or partially with each other tend to have better outcomes compared to those who are placed separately (Hegar & Rosenthal, 2009 & 2011). Keeping siblings together while in care also leads to higher rates of family reunification and a greater sense of security (Albert & King, 2008; Webster, Shlonsky, Shaw, & Brookhart, 2005). Research indicates that when siblings are separated, youth experience greater negative outcomes, are more likely to run away, and have more behavioural problems (Tarren-Sweeney & Hazell, 2005).

The child welfare system needs to be vigilant in enabling children to maintain their connections with siblings, and in recognizing that these connections can serve as protective factors. Whenever possible, Aboriginal children should be placed together with their siblings. In cases where siblings cannot be placed together, it is vital that caregivers facilitate regular contact between siblings so that their relationships can be maintained. Research demonstrates that when children have frequent and consistent visits with their siblings and parents, they experience better outcomes for their personal well-being (US Department of Health & Human Services, 2011).

Consistent with the importance of connections is the use of kinship care for Aboriginal children. Kinship care is grounded in, and consistent with, Aboriginal tradition, where the community has shared responsibility for raising a child. Kinship care is important for cultural and community continuity.

Many participants told us that the child welfare system should look more diligently to kinship care as a preferred option when a child cannot stay with his parents. We also heard, however, that there are inequities in the supports received by kinship caregivers relative to foster caregivers. This represents a barrier, since many potential kinship care providers do not have the resources to take in a child without additional supports. Although there has been some

progress related to the training and support for kinship care, more is needed. It is critical that kinship caregivers are well prepared for their role and provided with resources, training, and ongoing support.

Increasing support for kinship caregivers could facilitate expanded use of kinship care, which would better enable Aboriginal children to remain with extended family members in their communities.

As well, it is so important that there is clear communication with Aboriginal children, at levels they can understand, about their circumstances, the reasons for their involvement in the child welfare system, and what they can expect into the future.

We repeatedly heard from young people that they were not provided with information that would enable them to better understand the circumstances they were in and the reasons for them. They spoke clearly about the need for more information from their caseworkers and others who could help them make sense of their situation.

Children who are involved with the child welfare system, whether in care or not, need frequent, regular, open, and frank communication. Each child needs to hear and understand what is going on with her family's situation and the implications for her life. What is happening now? What could happen? Who is responsible for doing what? Having these answers can go a long way in putting children at ease. These are not situations where a child needs to be shielded from reality and told as little as possible; these are situations where she wants, needs, and deserves to know about the circumstances affecting her life in ways that she can understand. Consistent messages are key.

Children should be engaged and welcomed as contributors to the decision-making process. They should be presented with options and asked about what they would like to see happen. Their responses should be meaningfully considered. When they ask questions or request information, there should be timely follow-up, just as anyone would expect when engaged in a conversation or dialogue.

Giving children a voice about their hopes, fears, views, and wishes can go a long way in giving them a sense of control over their lives. The final decisions may not always line up with their opinions and wishes. However, if they have had meaningful opportunities to inform and influence decisions about them and their families, they are far more likely to feel heard and respected.

Children also need to be provided with open and honest information about who they are and where they come from. This is especially true if the child has been brought into care at an early age or has been placed with people who do not share their cultural background.

Aboriginal children deserve to know they are of Aboriginal ancestry and what that means. They deserve to know about their community of origin and their extended family members. They deserve the opportunity to learn about and explore their culture. These pieces of information are important for helping them come to terms with who they are and fashioning healthy identities. And they are particularly vital for their emotional and psychological well-being, as there is a strong possibility they will return one day to their family and home community.

OUTCOMES AND ACCOUNTABILITY

Throughout our engagement process, participants consistently expressed their desire to see our special report result in meaningful change. Aboriginal young people, their families, Elders, stakeholders, and service providers emphasized the importance of action and accountability. The overrepresentation of Aboriginal children in care, and the factors contributing to it, has gone on for too long. One of the key challenges is to have clear outcomes and indicators of how well the child welfare system is working for Aboriginal children and families.

Along with how well the child welfare system is working for Aboriginal children and families, there must be a better understanding of how Aboriginal children are doing in Alberta. While Aboriginal child welfare has been the focus of this report, there are broader indicators that are relevant and related to the health and well-being of Aboriginal children. Given the unique history and circumstances of Aboriginal children in Alberta, and in Canada, it is appropriate that consideration be given to identifying and reporting on significant indicators related to the health and well-being of all Aboriginal children in Alberta on a regular basis.

Recommendation 7:

In partnership with Aboriginal stakeholders, the Ministry of Human Services should develop a multi-year plan for addressing the overrepresentation of Aboriginal children in care, and report annually on progress achieved.

The overrepresentation of Aboriginal children in care is a multifaceted and complex issue. Successfully addressing this challenge will require many people working in collaboration and partnership. As the government with primary responsibility for child welfare, the Government of Alberta plays a key role, especially with respect to legislation, policies, and resources that influence the delivery of child intervention services.

However, this does not mean the Government of Alberta should move ahead unilaterally. As articulated in several of the Advocate's recommendations, Aboriginal communities have a critically important role to play - their support for, and participation in the entire effort is vital. It makes sense, therefore, for the Government of Alberta to work with Aboriginal leaders to develop and implement a multi-year plan to address and safely reduce the overrepresentation of Aboriginal children in care.

Through its engagement activities for this report, we heard insights about programs and approaches that are working well in child welfare practice for Aboriginal children and families. These insights can help inform the provincial government and Aboriginal communities in developing a multi-year plan. In fact, insights about what works well can be used as a base to build on so that the experiences and outcomes for Aboriginal children and families are grounded in strength-based approaches with a proven track record.

Consistent with the Advocate's commitment to openness, transparency, and meaningful change, means are needed to publicly report on the progress made addressing overrepresentation of Aboriginal children in the child welfare system.

Recommendation 8:

The Government of Alberta should monitor, evaluate, and report regularly to the Legislative Assembly of Alberta on the state of Aboriginal children living in the province.

The number of Aboriginal children involved with child welfare is also related to the overall health and well-being of Aboriginal children. The conditions in which many Aboriginal children live, the situations of their families and communities, and their access to services and supports are all factors that influence their involvement with the child welfare system.

To work towards better outcomes for Aboriginal children, we need to have better awareness and understanding of the overall picture for Aboriginal children.

The Government of Alberta should have a system in place to determine how well Aboriginal children in the province are doing. It should include key health and well-being indicators that are measured, evaluated, and reported on at regular intervals to determine if progress is being made. Some measures may already be in place, like school readiness or high school completion rates. There remains, however, a real need for a comprehensive reporting process that includes a broad spectrum of key measures for Aboriginal children and youth. Reports to the Legislative Assembly of Alberta should be provided at regular intervals.

This regular reporting will help accomplish several things. First, it will hold government ministries and agencies accountable to all Albertans, including Aboriginal children and families who are involved with the child welfare system. Second, it will serve as a useful data source for those making decisions about policies and resources that impact the health and well-being of Aboriginal children and families. And finally, it will guide the provincial government's progress in making the meaningful changes that are needed to improve outcomes for Aboriginal children who become involved with the child welfare system.

TREATY AREAS AND MÉTIS NATION FEEDBACK FORUMS

Following the drafting of our Recommendations in collaboration with Treaty 6, 7, 8, and the Métis Nation of Alberta, we held forums with Aboriginal young people, leaders, and community members and invited Alberta Human Services and Child and Family Services leaders to attend. We held these forums in the locations below and asked for their views on our draft recommendations and whether they had other priorities for consideration. Their feedback is below. In addition to the 746 people we had heard from previously, we heard from another 214 individuals through these forums.

The following chart lists where we went and the number of people we heard from.

PARTICIPANTS	MÉTIS NATION OF ALBERTA (EDMONTON)	TREATY 6 (SADDLE LAKE & MASKWACIS)	TREATY 7 (CALGARY)	TREATY 8 (SUCKER CREEK & EDMONTON*)	TOTAL PARTICIPANTS
Elders, youth, community members/leaders, GoA decision-makers	42	62	64	46	214

*The Fort McMurray fire led to an alternative location in Edmonton.

TREATY 6

Theme 1 – Legislation, Governance, and Jurisdiction:

- The existing First Nations Practice Standards should be implemented and included in delegation training.
- To support self-determination it is critical that there is a full partnership. That is, First Nations and Métis communities acting as full partners, not stakeholders.
- Opportunities need to be provided to have a discussion on the differences between mainstream and traditional parenting.
- The Aboriginal community should lead the development of Aboriginal Child Welfare in Alberta.
- There needs to be strong support for and recognition of different approaches to caregiving.
- Participants stressed the importance of the grandparents' role – the role of the caregiver and passing on traditional knowledge.
- Medicine wheel teachings need to be incorporated in the practice models and in the delivery of child welfare services.

"We are our own experts." (community member)

Theme 2 – Resources, Capacity, and Access:

- Delegated First Nation Agencies (DFNAs) and Child and Family Services (CFS) Regions need to work together and do what's best for the kids. This is a shared responsibility.
- It is important to identify young people as First Nations, Métis or Inuit and not use umbrella terms such as "Aboriginal."
- All child serving systems, such as the OCYA and Child Intervention should have a "First Nations" arm, a "Métis" arm and an "Inuit" arm.
- Barriers also need to be removed to simplify registering First Nations and Métis children. Registration is a key connection to identity.
- Band/treaty registration is critical and can be simplified if it is done in the hospital at the same time as the birth registration.
- "Jordan's Principle" needs to be implemented (not merely adopted) federally and provincially and applied across all services. The definition also needs to be broadened.
- Children and youth should have access to services with no barriers.

"I was told that if I saw my father on the street I was not allowed to talk to him." (Métis)

Theme 3 – Program and Service Delivery:

- It is important that young people have a voice.
- There needs to be equality across the systems between services delivered by the province and the community.
- Practice principles need to be consistent and followed.
- Child welfare needs to be more current in their education and it should address not just the child but also family and community.
- Kinship care needs to have equal funding with foster care.
- The Aboriginal community should design/develop child welfare solutions that fit for their children and community.
- There should be a Youth-In-Care Conference where young people can learn about their rights and discuss issues facing them.

"Placing me with people I don't know makes workers feel safe but makes me feel unsafe. I feel safer with family." (Métis)

Theme 4 – Outcomes and Accountability:

- A young person have an ally or someone familiar with the system to accompany them when coming into care.
- Ensure there is a leadership role for First Nations in the development of the multi-year plan. This plan needs to include the full implementation of the UN Declaration on the Rights of Indigenous Peoples.

> *"Need to focus on the strengths and resiliency."* (Youth with FN)

TREATY 7

Theme 1 – Legislation, Governance, and Jurisdiction:

- The child welfare system is too complex to navigate.
- The child welfare system needs to be simplified so all people, including adults and young people are better able to access resources.
- For change to occur parties need to participate.
- Put young people and their emotional needs above all. Being in care can cause a great deal of emotional distress, so young people must be given a voice in the decisions directly affecting them.
- Equal recognition and understanding of Aboriginal people and their way of life is crucial, especially when making decisions that directly impact them.
- Whenever possible Aboriginal people, especially Elders, should work with Aboriginal young people and families as they can help others understand their traditions and heritage.
- Traditional parenting teaching has been lost through residential schools and colonization, so the guidance of those who still know should be valued and incorporated.

> *"They [Aboriginal children] may need twice what other Albertan children get...to repair the damage the system has created."* (Youth with FN)

Theme 2 – Resources, Capacity, and Access:

- The need for increased resources in the areas of prevention and intervention was stressed.
- First Nations need finances for prevention and aftercare and increased supports for intervention.
- Expanded resources such as parenting classes and substance abuse treatment programs would greatly benefit communities.
- Provide in home supports rather than removing young people.
- Foster parents need to teach First Nations children their heritage and instill pride in their identity.

- Band Registration is a source of identity and allows young people to keep community ties, and to have access to a number of services including health care and education.
- Current Band Registration policies need to be simplified and support registration.
- Funding should support children to stay within their community to develop and retain a sense of identity.
- At times children in care were being instructed to not speak their own language, they need to be valued for who they are, have their culture supported, and not be seen as a source of income. Today, young people are taking the brunt of the results of the residential schools. There should be more education and services for young people, particularly around aging out of care. These same level services across Alberta should be available to all young people, as off-reserve children should be able to access these as well.

> *"No one agency can do that... they have to all come together."* (YOUTH)

Theme 3 – Program and Service Delivery:

- Youth need to be connected to their communities. Utilize Elders to teach culture, ceremonies, and language.
- Strengthen family programs to keep young people at home.
- Develop more recreational programming to assist and distract young people from the emotional strain of being in care.
- Listening to young people should be a primary practice. The voices of youth hold great value.

> *"Children provide hope. Take them away and communities and parents lose hope."* (COMMUNITY MEMBER)

Theme 4 – Outcomes and Accountability:

- Siblings need to remain connected and wherever possible kept together.
- Children have the right to know what is going on, and it's important to make sure they properly understand decisions about them.
- Fear is created when young people are misinformed or don't understand the decisions that directly affect them.
- Continued education is needed for front line workers and better relationships need to be built with the First Nations.
- Before moving forward and addressing the overrepresentation of young people in care, healing needs to take place.

TREATY 8

Theme 1 – Legislation, Governance, and Jurisdiction:

- Make case plans more useable and more meaningful by including the voices of those who have been affected by the issue – children and families.
- Plans need to be structured around an Aboriginal approach.
- There needs to be a mechanism in place to include the Aboriginal child's perspective and recognition that every community has their own cultural plan.
- Treaty 8 has the "children's agenda" and "First Nations Practice Standards" that they have been using.
- In moving forward, Aboriginal communities need to be true and equal partners at the table in making decisions and need to be involved in the planning process.
- The Band Designate role needs to be strengthened and better supported.
- Remove "off" versus "on" reserve discrepancies and disparities.
- Develop Aboriginal practices based on our expertise/knowledge, rather than adapting practices from elsewhere (e.g., from New Zealand).
- Develop a Memorandum of Understanding (MOU) to make certain Treaty 8 practices are followed and accredit Treaty 8 group homes in Edmonton.
- Develop an urban office to serve Treaty 8 children and families.

> *"We need the systems approach and Indigenous approach so that it is balanced."*
> (CHIEF)

Theme 2 – Resources, Capacity, and Access:

- "Jordan's Principle" needs to be adopted provincially beyond Child and Family Services. There needs to be provincial understanding across ALL ministries. The provincial government needs to set clear direction, especially for Alberta Health Services.
- Educate foster parents, service providers, and community members about Jordan's Principle.
- Train and equip future generations so they have the information they need.
- Services should be provided through a holistic approach and the sharing of service delivery by other agencies such as Alberta Health.
- Strengthen prevention to reduce the need for intervention.
- Each regional office should have a person designated to register children.

> *"Our children are stuck because we don't have the resources for after care. We are not on the same level. We make do with what we have."*
> (CHIEF OF FIRST NATIONS COMMUNITY)

Theme 3 – Program and Service Delivery:

- We need to listen to our youth. Their voice is important.
- Youth voice needs to be included, heard and valued.
- Peer support is needed. Have a young person who grew up in the child welfare system speak with other youth in care to help them adjust.
- Young people like to listen and talk to other young people.
- Maintain connections – for example, caregivers should meet the family and see the community.
- Kinship care is more valuable than foster homes. They must be paid the same.
- Registration needs to take place right at birth.
- There needs to be flexibility with cultural support. The majority of Treaty 8 people live in Edmonton and need to be connected to Treaty 8 placements supported by Treaty 8 staff.
- Maintain sibling connections through supporting homes to take more children in.

> *"There is lots of us hiding in the shadows... We got to get them when they are young. They are our future."* (YOUTH)

Theme 4 – Outcomes and Accountability:

- The issue of the overrepresentation of Aboriginal children in child welfare needs to be advocated as a "Canadian issue" rather than an "Aboriginal issue."
- In addressing this issue, the right people need to be at the table. One of the Elders states that this work is for us and we need to decide what this looks like. We need to focus on the issues. The Aboriginal piece needs to reflect the Elders, technicians, and decision-makers. If we continue the way it is, it is going to be led by child welfare and then we will have to fit into that process. What is needed today is to create a forum, some type of system that has traditional knowledge. It needs to be accommodated and cannot fit into the system. The people to bring to the table is youth.
- Address systemic racism and discrimination in legislation and policy.
- Implement and embed Indigenous practice standards in legislation and policy.
- An annual opportunity to meet with CFS Regions about concerns and challenges should be set up.
- Standards should be the same for DFNA's and CFS Regions with file reviews and audits.
- A multi-year plan needs to be led by the Aboriginal community and include consultation with government and other key stakeholders, like the development of the "First Nations Practice Standards."

> *"I would hate to see my grandchildren and great grandchildren to be sitting at this table 40 to 50 years from now and discussing the same thing."* (ELDER)

> *"Structure the system around us."* (COMMUNITY MEMBER)

MÉTIS NATION OF ALBERTA (MNA)

Theme 1 – Legislation, Governance, and Jurisdiction:

- A full partnership is needed government to government. Children enter the system and the Métis Nation of Alberta is not aware of where they are. Notify the Métis Nation and Métis Settlements.
- Front line staff need to be involved in development of legislation and policy change.
- There are funding barriers for families to re-unite, children can be placed anywhere in Alberta and there is a high cost to travel. No one goes to child welfare for help because there are barriers with the process of receiving help.
- Foster Parents receive financial support for children while the parents live in poverty. Redirect funds to support families.
- Cultural teachings need to focus on Métis as well as First Nations.
- In addition to basic needs, young people's mental, emotional, and spiritual needs should be addressed.
- More support and easier access to kinship supports is needed. Families don't want to get involved because of the hoops and the financial barriers. What happens when children age out, they are lost without their identity. It is easy to take children away but no supports to keep children with family.
- Aboriginal people don't fight back when they should because they believe the system is always against them.
- The legislation and policy need to change to support the involvement of the MNA to support children. Government needs to recognize the authority of the MNA the way they do the Chiefs.
- Increased involvement in child welfare delivery. MNA needs to know when a Métis child comes into care not just CFS.
- Make family engagement mandatory and give family, foster parents, and youth a voice.
- Métis and First Nations to come together for partnership to move forward for young people to better understand each other.
- Kinship care – "Equal payment for equal treatment."

"The legislation and policy need to change to support the involvement of the MNA to support children."

Theme 2 – Resources, Capacity, and Access:

- Youth say they have nowhere to go and that Elders need to be connected to youth.
- There is a need to reunite families and focus on more prevention.
- Provide support for Métis citizenship/registration.
- Increase awareness of available supports and how to access them as the systems are too complicated.
- Resources are needed to research family trees as there is only one Métis registration office in Alberta.
- More supports for FASD are needed, particularly after a youth turns 18.

- Parents need to be held accountable to their children and there is a need to break the cycle of families where parents were in care with no connection to their natural family.
- Regarding Métis registration, we need a formal process (even more critical when a Métis child is adopted) between MNA and Service Alberta to allow the MNA to access documents required to complete registration.

"Young people know more than we think they do, so their voice holds great value." (participant)

Theme 3 – Program and Service Delivery:

- Start with prevention programs rather than removing children.
- Teach youth about risks while at the same time providing hope for the future.
- Young people need positive role models and we all need to be accountable to support youth.
- Start in schools and encourage and mentor young people. Teach and discuss the hard topics and give youth a voice at an early age.
- Provide access to Elders in the schools
- Teach youth about the effects of intergenerational trauma.
- Create a Métis system like the DFNA's. It is time to implement rather than talk.
- Need to recognize Métis as unique and remember that Métis traditions are not the same as First Nations.

"Aboriginal lead agencies are non-Aboriginal." (participant)

Theme 4 – Outcomes and Accountability:

- Develop Métis child welfare standards and partner with the MNA in their development.
- Establish a way to get communication out to all Métis people.
- Improve navigation of the system. Front line workers need to know how to navigate all government programs.
- Workers need to engage with young people more often and know how they are doing.
- Programs should be built with connections and be accountable to one other.
- Regular reports should be published that differentiate between First Nation, Métis, and Inuit. Different cultures have different stories.
- MNA needs to be responsible for Métis child welfare standards and those need to be reflected in provincial policy.
- Have annual public reporting to give the issue life.

"First Nation and Métis need to come together for partnership in order to move forward for young people." (participant)

CLOSING THOUGHTS FROM THE ADVOCATE

I am always surprised that Aboriginal children, youth, parents, grandparents, and others are not more jaded by their experiences with government and child welfare authorities. Indeed, our experience for this special report has been quite the opposite. The Aboriginal people we have heard from have been unbelievably generous in their willingness to contribute to what we are doing. They do so out of kindness and care for those who may have to walk a similar path in the future. The people we spoke to want the load to be easier to carry, the challenges to be fewer, and the benefits greater for those who will be involved with child welfare services.

To these people, "thank you." Thank you for taking the time to talk to us. Thank you for making the effort to share your experience, strength, and hope so that Aboriginal children and families can be better served into the future.

You are not alone. We also spoke to many non-Aboriginal people, including caseworkers, foster parents, service providers, and others who want the same things for Aboriginal children and families. These people, so many of whom have dedicated their professional lives to vulnerable children and families, worked hard to make valuable contributions to this report. I would like to thank them for their assistance and commitment.

Over the years, Aboriginal people have endured very difficult circumstances as a result of misguided policies delivered under the guise of "doing good." They have been harmed by these actions, and have struggled with the consequences for generations.

In spite of it all, they have survived, and in doing so, demonstrated a level of resilience that is truly remarkable. What is more, Aboriginal Canadians have and continue to contribute to the fabric of our communities, our province, and our country, making us richer in every way for their presence.

Yet there remains some discomfort and uncertainty about the relationship between Aboriginal people and other Canadians. As Dr. Marie Wilson, a commissioner from the Truth and Reconciliation Commission recently put the question, "How can it be that as Canadians, we have lived together for 150 years and yet we still do not know each other?"

Regardless of the response, it is time that we change the relationship between Aboriginal people and other Canadians so we finally do get to know each other. So we can recognize and celebrate our shared values and our diversity, and so there is respect for, and space to uphold the rights and aspirations of all of us.

For this to happen, it must start with how we treat our most vulnerable citizens, our children. All children deserve our very best efforts to ensure they can grow to their full potential, surrounded by love and safe from harm. We owe this to all of our children. And if there is something wrong, we cannot look the other way.

That is why we wrote this special report. There is something wrong. Aboriginal families are struggling when they face challenges related to the safety and well-being of their children. And the child welfare system in place to help them is not doing it very well.

This is not just an issue for the hundreds of people who spoke to us, or for Aboriginal communities, or the child welfare system, or for the government. It is an issue and a responsibility for all of us. These are our children. Alberta's children. We owe it to them. We must take action. We cannot continue to look the other way.

Del Graff
Child and Youth Advocate

APPENDIX A:

DECLARATION OF RECONCILIATION

CANADIAN COUNCIL OF CHILD AND YOUTH ADVOCATES DECLARATION OF RECONCILIATION

June 1, 2015

The experience of the past is a lesson for the future. We have learned from the experiences of those who were sent to residential schools, of the profound tragedy that resulted when the rights of children; their connection with family and community; and their traditions and culture were not respected. The federal government's residential school policy of forcibly removing all children from the home as young as four years old, until they were adolescents or in some cases never returned home, left a tangible emptiness; it is a forced exodus that seems unthinkable today. We have listened and we now know the truth. We know Aboriginal peoples and all Canadians were changed by residential schools.

As independent Child Advocates in each of our respective Provinces and Territories, we listen every day to the voices of Aboriginal children who suffer the intergenerational trauma of the residential schools system. We hear their voices.

The eleven members of the Canadian Council of Child and Youth Advocates share an unwavering belief in, and respect for, the rights of children and youth.

As enshrined in the United Nations Convention on the Rights of a Child, all children have basic rights to health, safety, education and well-being. The family is recognized as a fundamental and natural environment for the growth and well-being of children. Children have the right to be heard.

In our work advocating for the rights of children and youth, we have special regard for the circumstances of Aboriginal children and youth who are among the most vulnerable and marginalized groups of children in Canada.

Our pledge is to ensure that the rights of Aboriginal children and youth are kept at the forefront in our advocacy work.

The Canadian Council of Child and Youth Advocates, in the spirit of active reconciliation, supports the Truth and Reconciliation Commission's work on residential schools. The members of the Council strive to be a voice for all children and youth, and as such we support the recommendations of the Truth and Reconciliation Commission for the implementation of the history of residential schools in the curriculum of all public schools. We call for this in memory of those children who have passed away, those who survived, those who are living through the legacy of the imposed trauma, and to improve all Canadians' understanding of the true history of our country.

Our Council of Advocates will continue to work towards the reconciliation initiated by the Truth and Reconciliation Commission process. We will be vigilant in ensuring that the rights of Aboriginal children are respected. We will continue to work to engage with Aboriginal children and youth.

The healing journey, and the path to reconciliation, includes the involvement of youth in defining their own future. This is a journey that must be taken by all Canadians. By appreciating the past and hearing and learning from and about each other, trust and respect can be built. We will work to support Aboriginal children and youth to speak out, have their voices heard, and have their best interests reflected in how our nation's future unfolds.

http://www.cccya.ca/Images/english/pdf/Declaration_of_Reconciliation_En.pdf

The Canadian Council of Child and Youth Advocates is an association of government-appointed children's advocates from the nine provinces and two territories of Alberta, British Columbia, Manitoba, New Brunswick, Newfoundland and Labrador, Nova Scotia, Nunavut, Ontario, Québec, Saskatchewan, and Yukon. Advocates are independent officers of the legislatures in their respective jurisdictions.

APPENDIX B:

LIST OF INSIGHTS FROM ENGAGEMENT PARTICIPANTS ABOUT WHAT IS WORKING WELL IN SOME PARTS OF THE PROVINCE FOR THE ABORIGINAL COMMUNITY

What is working well that we can do more of going forward into the future?

Youth

- Keep siblings together – do not separate them
- Keep young people connected to their families and communities
- Need places like iHuman, Bent Arrow, Elizabeth Fry – these are places that really have helped youth with addictions come to understand that there are people who care

Caregivers and Family Members

- Aboriginal children placed with their people
- Keep siblings together – do not separate them
- Teach Child and Family Services staff about the history of Aboriginal people
- Have cultural mentors for non-Aboriginal foster homes parenting Aboriginal children

Elders

- Skilled trainers to provide Aboriginal awareness/cultural training to service providers
- Use of family group conferencing
- Caregivers must know the cultural ways (which tie back to the training piece)

Keep Aboriginal children in their communities and connected to family
Aboriginal awareness/ cultural/intergenerational trauma training for all service providers
Hire more Aboriginal workers
Community Service Providers and Stakeholders
Teach about the history of residential schools, the Sixties Scoop, and colonialism
Use of family group conferencing
Intergenerational trauma training for foster families
Keep youth connected to family, language, and culture
Parent advocates or cultural brokers that worked with parents when their children were apprehended or when an intervention was taking place so they could understand the system and caseworkers could better understand their culture better as well
Transition plans - helping the young person better prepare for adulthood
General
Hiring more Aboriginal workers
Holistic approach - sharing circles with families (similar to family group conferencing)

APPENDIX C:

ABORIGINAL SERVICES WE CAN LEARN FROM

Kainaiwa Children's Services Corporation – The Niitsitapia'pii Blackfoot Culture and Language Program is working with both youth and their foster families in teachings and lessons of the Blackfoot people. "Language is our culture, our view of the world, our values and beliefs." The program was modeled after the Buffalo Child program (Region 6 in Edmonton), established in 2003 and based on the thoughts and direction of Blood Tribe Elders who were concerned about children distancing themselves from their home community. The Elders main focus was the teaching of culture to Blood Tribe children in care. This is a joint venture between Kainai Children Services (Blood Tribe) and South Region Child and Family Services. Children, their families, and foster families are always welcome to visit the community, especially during the summer for Indian Days and Sundance or other special occasions. Also, naming ceremonies have been especially welcomed by the children whereby Elders bestow Blackfoot names to the children. These names are usually related to their lineage or clans, nature, or feats.

Opokaa'sin Early Intervention Society – Opokaa'sin in Blackfoot means "all the children" and describes the importance of young people in their community. The programs provide respectful, culturally relevant programming and services to assist in raising healthy children and families. Youth in care are mentored by youth who have knowledge of being Siksikaitsitapi (Blackfoot People) of Kainaiwa/Blood Tribe. The youth in care are learning traditional ways from community members and Elders. Youth in care now have a family to call their own, even if it is not their biological brothers and sisters. They all have a role and a purpose and need each other for support. The role of everyone is not just in the program, but outside of the program as well.

Piikani Child and Family Services – Staff, along with Elders, attend a two-day gathering with their youth in care to build respectful and meaningful relationships. A Band Designate works to ensure youth off the Nation have the opportunity to attend events on the Piikani Nation. Prevention Team host an annual Piikani Youth Forum and have established a Piikani Youth Council made up of young people between the ages of 14 and 22. The aim of the council is to help develop leadership skills for the young people and host events for the Piikani Youth.

Siksika Medicine Lodge Youth Wellness Centre – Siksika Medicine Lodge is given the authority through the National Youth Solvent Abuse Program (NYSAP) of the First Nations & Inuit Health Branch (FNIHB) of Health Canada to establish the solvent addiction services for First Nations and Inuit youth between the ages of 12 to 17 on the Siksika Nation. The youth treatment plan incorporates the medicine wheel teaching, mental, emotional, physical, and spiritual. Each area is essential and key to have them all working and in balance.

The Mahmawi-atoskiwin Program – An alliance of Boys and Girls Clubs of Calgary, Enviros, and Pathways Community Service Association, this program works with various Elders in the community to promote culture through the regular use of the sweat lodge and other ceremonies, as well as cultural healing camps for families. They are working to strengthen the Aboriginal community in the Calgary area.

Ghost River Rediscovery – Ghost River Rediscovery Camps in the foothills of the Rocky Mountains west of Sundre is an annual cultural camp that welcomes all cultures and has Aboriginal Elders that provide safety and cultural connections.

Aboriginal Interagency Committees of Northwest Alberta – The organization works with the Aboriginal community to promote awareness, identify issues, lobby for resolution, and provides agencies and government bodies with feedback on Aboriginal perspectives. They are focused on enriching the lives of Aboriginal people through a collaborative and holistic approach that embraces both culture and history to improve outcomes for Aboriginal people living in northwest Alberta.

Mamowe Opikihawasowin Tribal Chief Child & Family Services (West) Society – The Society hosts an annual one-week cultural camp. The staff, board of directors, and leadership live by and practice their traditions and cultural values by sharing them with their children, youth, and families. They promote traditional values through teachings from Elders and experiential learning in such areas as traditional parenting and cooking.

Bent Arrow Traditional Healing / Coyote Pride Mentoring Program – This society provides several programs for children, youth, and families including a mentoring/buddy program for Aboriginal pre-teens in grades 7 to 9. Youth participate in cultural activities with mentors who encourage them to have a healthy lifestyle through traditional teachings and positive role model behaviour. The Sacred Circle program is a program committed to building on the strengths of Aboriginal children, youth, and their families in a holistic way (spiritual, emotional, physical, and intellectual development). This program provides family support, family aide, and youth workers to families that have children services involvement. Supports can include connecting the families to community resources, mediation, advocacy, and crisis intervention.

Ben Calf Robe Society / The Family Health and Parenting program – kihci awasisak (meaning "very special children") – The program is made up of several different programs all relating to children and families. Participants choose from a variety of menu recipes to plan, prepare, and eat every day of programming. The In Home Family Support Program – Ketotayminawok (meaning "All My Relations") provides culturally sensitive intervention and support services to Aboriginal families who have status. The program provides planned interventions and services aimed at strengthening and preserving youth, children, and their families by providing

home-based family centered services designed to promote the protection and well-being of children in their homes, educate parents to improve their parenting abilities, prevent unnecessary long-term out-of-home placement of a child, and support and enhance a stable and nurturing family environment in which children can grow and develop. It also improves family interaction, responds immediately to the family at the point of crisis, and enhances family support networks.

Métis Child and Family Services Society – The Society has several programs providing support and services for youth and families. Through the Aboriginal Child and Family Support Program, for instance, registered social workers provide in-home services and supports to families with young children in their home environment. Services include counselling, support with advocacy, and dealing with family violence, addictions, Fetal Alcohol Spectrum Disorder, and transitioning children back into their family from care. The Choices/Choices a Partnership Stay in School and Youth Support Program (Métis Child and Family Services Society) provides support to Aboriginal junior high school youth so that they remain in school. Personal development and coping skills are learned through cultural and recreational activity. The program provides liaison between youth, family, and school on attendance issues as well as court attendance support. Intensive one-on-one youth support is also provided.

The Aboriginal Youth & Family Well-being and Education Society – Based in Edmonton, this non-profit organization was established to assist Aboriginal youth to remain in school and be successful in achieving their educational and personal potential, as well as assisting their families to support them in this goal. The Society works with youth between the ages of 12 and 15, as well as their families, to improve their educational, economic, social, and personal prospects. It helps youth gain higher self-esteem, develop positive life goals and skills, and become connected to positive role models and support systems that will enable them to achieve these goals.

Two established services that work with many Aboriginal young people:

iHuman – This non-profit agency, which is based in Edmonton, supports many young people in very high-risk situations and lifestyles. Their art, fashion, music, and dance studios attract young people, and offer ways to express their talents and their realities.

The Alex – A youth health centre in Calgary, the Alex provides many young people with compassionate and non-judgmental services ranging from medical care to job search and parenting support. The staff is dedicated and passionate about helping vulnerable young people overcome challenges that negatively impact their health.

APPENDIX D:

GLOSSARY OF TERMS

Aboriginal - Includes Treaty Status, potential to be registered, non-status, Métis, and Inuit.

Aboriginal Peoples - Is a term used to indicate that the Aboriginal community in Alberta is not a homogenous group but rather a number of distinct people groups.

Caseworker - A child intervention worker (for the purposes of this report, this term describes all child intervention workers).

Child and Family Services (CFS) - Under the Ministry of Human Services the province delivers Child Intervention Services under the *Child, Youth and Family Enhancement Act* through Child and Family Service regions.

Child Welfare/Child Intervention - The child intervention system in Alberta operating under the *Child, Youth and Family Enhancement Act.*

Delegated First Nation Agency (DFNA) - The province has given delegations of authority under the *Child, Youth and Family Enhancement Act* necessary to enable First Nations agencies to provide the full range of provincial Child Intervention Services within their geographical boundaries. Indigenous Affairs and Northern Development Canada (IANDC) funds the agencies for the provision of Child Intervention Services on-reserve.

First Nations - First Nations are those peoples (or nations) recognized as Aboriginal peoples in Canada but does not include the Inuit and the Métis.

Foster Home - A family placement approved by Child Intervention Services. Foster parents must complete formal training and enter into an agreement with Child Intervention Services prior to children being placed in their care.

Group Home - A residential placement staffed by childcare workers.

In Care - The Director has custody or guardianship of a child and the child is placed outside of his or her parents' care. The following are the in care statuses under the *Child, Youth and Family Enhancement Act*.

> **Custody Agreement** - A voluntary agreement that allows a parent or guardian to place his or her child in the care and custody of Child Intervention Services.
>
> **Custody Order** - An order granted by the courts to provide the Director temporary custody and guardianship of the child until legal status can be determined.
>
> **Permanent Guardianship Order (PGO)** - The Director is the sole guardian of the child.

Secure Services - The Director determines that a young person must be confined for stabilization and assessment because the young person is an immediate danger to themselves or others.

Temporary Guardianship Order (TGO) - The court awards custody and guardianship to the Director for a specified period.

Indigenous – Indigenous means "native to the area." In this sense, Aboriginal peoples are indeed indigenous to North America. Its meaning is similar to Aboriginal peoples, Native peoples or First peoples.

Inuit – Inuit are a circumpolar people, inhabiting regions in Russia, Alaska, Canada, and Greenland, united by a common culture and language. There are over 59,000 Inuit living in Canada, primarily in the Northwest Territories, Nunavut, and northern parts of Quebec and coastal Labrador (Statistics Canada, 2013).

Jordan's Principle - Developed in response to the death of Jordan Anderson, a First Nations youth from a remote reserve in Manitoba who passed away while the Manitoba and federal governments contested which government was responsible for providing health care needs for the five-year-old child. The essence is that a child's needs should be responded to first. Once those needs have been met, then any outstanding jurisdictional issues should be handled. Jordan's Principle was unanimously passed in the House of Commons in 2007.

Kinship Care - A placement outside of the parental home with relatives or members from a child's community who are approved by Child Intervention Services to care for a specified child or children.

Métis – The word Métis is French for "mixed blood." Section 35 of the *Constitution Act* of 1982 recognizes Métis as one of the three Aboriginal peoples. Today, the term is used broadly to describe people with mixed First Nations and European ancestry who identify themselves as Métis. Note that Métis organizations in Canada have differing criteria about who qualifies as a Métis person.

Residential Facility – Specialized group care facilities.

APPENDIX E:

OVERREPRESENTATION ACROSS CANADA

The following shows the data from the *Aboriginal Children in Care: Report to Canada's Premiers* detailing the representation of Aboriginal children in care by province (2015, p. 7):

While there are differences in the types of information that is gathered, limited statistics from provinces and territories nevertheless provide strong evidence that Aboriginal children are over-represented in Canada's child welfare systems. For example:

- In British Columbia, the Aboriginal children population makes up 8% of the total child population, yet more than 55% of the children living out of their parental home in the province are Aboriginal. One in five Aboriginal children in the province will be involved with child welfare at some point during his or her childhood.
- In Alberta, 9% of the child population is Aboriginal, and 69% of children in care are Aboriginal.
- In Saskatchewan, 25% of the child population is Aboriginal and 65% of children in care are Aboriginal.
- In Manitoba, 23% of the child population is Aboriginal, and about 87% of the children in care are Aboriginal.
- In Ontario, 3% of the child population under age 15 is Aboriginal, and 21% of the children in care are Aboriginal children living off-reserve.
- In Quebec, 2% of the child population is Aboriginal, and 10% of the children in care are Aboriginal.
- In New Brunswick, 3% of the child population is Aboriginal and 23% of the children in care are Aboriginal.
- In Nova Scotia, 6% of the child population is Aboriginal and 23% of the children in care are Aboriginal.
- PEI does not track nor report on ethnic origin of children in care. The provincial population is small, and the population of Aboriginal persons is low. Reporting on Aboriginal children in care could compromise confidentiality.
- In Newfoundland and Labrador, 11% of the population 19 years of age and younger were Aboriginal according to the 2011 National Household Survey, and 34% of the children and youth in care (17 and younger) were Aboriginal as of December 2014.
- In Yukon, 33% of the child population is Aboriginal, and 64% of the children in care are Aboriginal.
- In the Northwest Territories, 61% of the child population is Aboriginal, and about 95% of children in care are Aboriginal.
- In Nunavut, 85% of the child population are Inuit, and about 94% of the children in care are Inuit.

APPENDIX F:

EFFORTS MADE TO IMPROVE THE LIVES OF ABORIGINAL PEOPLES

INTERNATIONAL

> *"I like the ideal of more advocacy. Educating people about their rights is important and more kids need to know their rights."* (youth)

The United Nations has been at the forefront of international efforts to improve the lives of Indigenous Peoples, especially children. Through the *Convention on the Rights of the Child* (UNCRC) and the *Declaration on the Rights of Indigenous People* (UNDRIP), the UN has played a critical role in drawing countries' attention to the rights of their vulnerable populations. These two documents (which have been endorsed by the federal and provincial government) can provide a platform for change to the child welfare system for Aboriginal peoples in Alberta.

United Nations Convention on the Rights of the Child (UNCRC)

Signed on November 20, 1989 to honour National Child Day, UNCRC is one of the most broadly accepted rights document in history. Its key articles include (see http://www.ohchr.org/en/professionalinterest/pages/crc.aspx):

- Article 7: Children have the right to know their parents and, as far as possible, to be cared for by them.
- Article 8 (1): Children have a right to preserve their identity, including nationality, name, and family relations.
- Article 20: Children whose own families cannot take care of them must be looked after by people who respect their religion, culture, and language.
- Article 27: Children have the right to a standard of living that meets their physical and mental needs. The government should provide help to those families that cannot afford to do so.
- Article 30: Minority or Indigenous children have the right to learn about and practice their own culture, language, and religion

The Government of Alberta endorsed the UNCRC in 1999.

United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

The UNDRIP is the most comprehensive statement of the rights of Indigenous peoples ever developed. The Declaration was adopted by the United Nations General Assembly on

September 13, 2007, and endorsed by Canada (which participated in drafting it over a period of two decades) three years later. On July 14, 2015, the Government of Alberta similarly committed to implementing UNDRIP.

While the entire Declaration is broadly applicable, the key articles include (see http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf):

- Article 9: Indigenous peoples have the right to belong to an Indigenous community or nation in accordance with the traditions and customs of the community or nation concerned.
- Article 14 (3): States will take measures to ensure Indigenous individuals, particularly children, have access to an education in their own culture and provided in their own language.
- Article 18: Through representatives chosen by themselves in accordance with their own procedures, Indigenous peoples have the right to participate in decision-making in matters that could affect their rights.
- Article 19: States will consult and cooperate in good faith with Indigenous peoples, through their representative institutions, to obtain their consent before adopting and implementing measures that may affect them.
- Article 22:
  (1) Particular attention will be paid to the rights and special needs of Indigenous Elders, women, youth, children, and persons with disabilities in implementing the Declaration;
  (2) States will take measures to ensure that Indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination;
- Article 38: States, in consultation and cooperation with Indigenous peoples, will take the appropriate measures, including legislative, to achieve the ends of the Declaration.

Together, these two documents hold the potential to help improve Aboriginal peoples' circumstances generally and their experience with the child welfare system more specifically.

Federal

"The government needs to follow the human rights that already exist." Marlin

Over the years, the Government of Canada has undertaken a number of initiatives to improve the experiences and outcomes for Aboriginal peoples. These efforts were prompted by the fact that Aboriginal peoples, by and large, were not enjoying the benefits and prosperity experienced by other Canadians. Each of the initiatives detailed below has been consequential for provincial child welfare services.

The Royal Commission on Aboriginal Peoples (RCAP)

The Royal Commission on Aboriginal Peoples (RCAP) was formed to examine how Canada could forge a new relationship with its Aboriginal peoples. Released in 1996, RCAP's report recognized that Aboriginal peoples are self-governing nations within Canada. It outlined a 20-year agenda for change, calling for new legislation, resources, and land redistribution to rebuild Aboriginal communities, nations, and governments. The report also called for action on healing, economic development, human resources, and the building of Aboriginal institutions.

REPORT ON THE ROYAL COMMISSION ON ABORIGINAL PEOPLES (RCAP) 1996

Recommendations for Youth

- Providing appropriate access to recreational activities.
- Providing access to counselling.
- Providing access for urban youth to their culture.
- Listening to Aboriginal youth is important.

Recommendations for Child and Family Services

- Returning control over Child and Family Services to Aboriginal communities.
- Providing adequate funding for Aboriginal communities to run Child and Family Services.
- Providing kinship homes adequate support to maintain family unity.

- The RCAP encompassed five volumes and 440 recommendations:
  - *Volume 1: Looking Forward, Looking Back:* Traces the history of Aboriginal and non-Aboriginal relations since before contact.
  - *Volume 2: Restructuring the Relationship:* Argues for a transformed relationship based on reconciliation, as well as measures to advance nation building and economic development for Aboriginal nations.
  - *Volume 3: Gathering Strength:* Addresses the many pressing social issues facing Aboriginal nations.
  - *Volume 4: Perspectives and Realities:* Gives voice to the diversity of perspectives across Aboriginal nations, including to elders, women, youth, and others.
  - *Volume 5: Renewal – A Twenty-Year Commitment:* Makes the case for immediate and sustained investment and action to achieve reconciliation.

In 2006, the Assembly of First Nations published a 10-year report card on the RCAP agenda, noting:

> *The reality for First Nations communities today is ongoing poverty, and an increasing gap in living conditions with other Canadians, which were reported during the RCAP hearings. Any major improvements in individual communities or regions have been led by those communities for those communities.*

To date, the most significant of the 440 recommendations to be implemented was the recommendation for a "Public Inquiry into Residential School Abuse." This inquiry is what we know today as the Truth and Reconciliation Commission.

Truth and Reconciliation Commission (TRC)

In June 2015, the Truth and Reconciliation Commission of Canada released its report. Its *Calls to Action* were aimed at working towards reconciliation with Aboriginal peoples, and renewing relationships between Aboriginal peoples and non-Aboriginal communities.

The first five *Calls to Action* speak directly to child welfare systems in Canada and their relationships with Aboriginal peoples. Collectively, they stress the importance of reducing the high number of Aboriginal children in care. Below are the *Calls to Action* that specifically address child welfare for Aboriginal children.

1. We call upon the federal, provincial, territorial, and Aboriginal governments to commit to reducing the number of Aboriginal children in care by:
    i. Monitoring and assessing neglect investigations.
    ii. Providing adequate resources to enable Aboriginal communities and child-welfare organizations to keep Aboriginal families together where it is safe to do so, and to keep children in culturally appropriate environments, regardless of where they reside.

iii. Ensuring that social workers and others who conduct child-welfare investigations are properly educated and trained about the history and impacts of residential schools.

iv. Ensuring that social workers and others who conduct child-welfare investigations are properly educated and trained about the potential for Aboriginal communities and families to provide more appropriate solutions to family healing.

v. Requiring that all child-welfare decision makers consider the impact of the residential school experience on children and their caregivers.

2. We call upon the federal government, in collaboration with the provinces and territories, to prepare and publish annual reports on the number of Aboriginal children (First Nations, Inuit, and Métis) who are in care, compared with non-Aboriginal children, as well as the reasons for apprehension, the total spending on preventive and care services by child-welfare agencies, and the effectiveness of various interventions.

3. We call upon all levels of government to fully implement Jordan's Principle.

4. We call upon the federal government to enact Aboriginal child-welfare legislation that establishes national standards for Aboriginal child apprehension and custody cases and includes principles that:

   i. Affirm the right of Aboriginal governments to establish and maintain their own child-welfare agencies.

   ii. Require all child-welfare agencies and courts to take the residential school legacy into account in their decision making.

   iii. Establish, as an important priority, a requirement that placements of Aboriginal children into temporary and permanent care be culturally appropriate.

5. We call upon the federal, provincial, territorial, and Aboriginal governments to develop culturally appropriate parenting programs for Aboriginal families.

The Canadian Human Rights Tribunal (CHRT)[5]

In January 2016, the Canadian Human Rights Tribunal released a decision that found the federal government has not been providing sufficient funding for First Nations child welfare services. The decision stemmed from a human rights case launched in February 2007 by the First Nations Child and Family Caring Society of Canada and the Assembly of First Nations.

This case alleged that the Canadian government failed to provide equal funding for child welfare services to First Nations children living on reserves and that the funding framework used by the Department of Indian and Northern Affairs (now the Department of Indigenous and Northern Affairs) for First Nations child and family services was flawed, inequitable, and thus discriminatory under the *Canadian Human Rights Act*.

The CHRT found that the funding practices of Aboriginal Affairs and Northern Development Canada (AANDC) and their First Nations Child and Family Services Program (FNCFS) branch were discriminatory and needed to cease. As the CHRT noted:

> As race and/or national or ethnic origin is a factor in those adverse impacts, the Panel concluded First Nations children and families living on reserve and in the Yukon are discriminated against in the provision of child and family services by AANDC.
>
> AANDC is ordered to cease its discriminatory practices and reform the FNCFS Program and 1965 Agreement to reflect the findings in this decision. AANDC is also ordered to cease applying its narrow definition of Jordan's Principle and to take measures to immediately implement the full meaning and scope of Jordan's Principle.

The CHRT decision has created an opportunity for a serious and open conversation about the delivery of child welfare services to Aboriginal children and families. It will undoubtedly have implications for how First Nations child welfare services are funded, leading to further discussions about the sufficiency and availability of those services.

5 See http://decisions.chrt-tcdp.gc.ca/chrt-tcdp/decisions/en/item/127700/index.do?r=AAAAAQAtRmlyc3QgTmF0aW9ucyBDaGlsZCBhbmQgRmFtaWx5IENhcmluZyBTb2NpZXR5AQ

APPENDIX G:

ADDITIONAL INFORMATION ON ALBERTA'S FIRST NATION[6] AND MÉTIS PEOPLE

	TREATY 6	TREATY 7	TREATY 8
DATE	1876	1877	1899
SIGNED AT	Fort Carlton, Saskatchewan	Blackfoot Crossing of Bow River, Alberta	Lesser Slave Lake, Alberta
AREA COVERED	Central Alberta, Saskatchewan, and Manitoba	Southern Alberta	Parts of northern Alberta, British Columbia, Saskatchewan and the Northwest Territories
INCLUDES	Alexander, Alexis, Beaver Lake, Cold Lake, Enoch, Ermineskin, Frog Lake, Goodfish/ Whitefish, Heart Lake, Kehewin, Louis Bull, Montana, O'Chiese, Paul, Saddle Lake, Samson, and Sunchild.	Blood, Piikani, Siksika, Stoney (Bearspaw, Chiniki, and Wesley), and Tsuut'ina.	Athabasca Chipewyan, Chipewyan Prairie, Fort McKay, Fort McMurray #486, Mikisew Cree, Bigstone Cree Nation, Loon River, Lubicon Lake, Whitefish Lake, Woodland Cree, Peerless Trout First Nation #478, Driftpile, Kapawe'No, Sawridge, Sucker Creek, Swan River, Beaver, Dene Tha', Little Red River, Tallcree, Smith's Landing, Duncan's, Horse Lake, and Sturgeon Lake.

6 Based on information from Confederacy of Treaty Six First Nations (n.d. - a & b), Treaty 7 Management Corporation (n.d.)., Treaty 8 Organizational Portal (n.d. - a & b), and Aboriginal Affairs and Northern Development Canada (2014).

The Métis[7]

Alberta is home to the largest Métis population in Canada, almost 97,000 in the 2011 National Household Survey (Statistics Canada, 2016). It is also the only province with a recognized Métis land base. The eight Métis settlements in Alberta cover 512,121 hectares (1.25 million acres) of land located primarily in the east-central and northern areas of the province. Almost 9,000 people live on the Métis settlements of Buffalo Lake, East Prairie, Elizabeth, Fishing Lake, Gift Lake, Kikino, Paddle Prairie, and Peavine.

- Buffalo Lake is located 50 km southwest of Lac La Biche, pop. 1,353.
- East Prairie is located 40 km southeast of High Prairie, pop. 812.
- Elizabeth is located 30 km south of Cold Lake, pop. 982.
- Fishing Lake is located 93 km south of Cold Lake, pop. 784.
- Gift Lake is located 40 km northeast of High Prairie, pop. 1,300.
- Kikino is located 80 km south of Lac La Biche, pop. 1,295.
- Paddle Prairie is located 77 km south of High Level, pop. 1,464.
- Peavine is located 56 km north of High Prairie, pop. 993.

Métis Nation of Alberta[8]

The Métis Nation of Alberta is distinct from, but inclusive of, Métis people from the settlements who seek membership.

The Métis Nation of Alberta strives to:

- be a representative voice on behalf of Métis people in Alberta;
- provide Métis people an opportunity to participate in government's policy and decision-making process and, most importantly;
- promote and facilitate the advancement of Métis people through the pursuit of self-reliance, self-determination and self-management.

7 Métis Settlements General Council (n.d. - a & b) and Statistics Canada (2016).

8 Métis Nation of Alberta (n.d.).

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